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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of life, help us to know You better that we may love You more.

Provide our lawmakers opportunities to be guided by Your wisdom and strengthened by Your presence. May Your presence lead them to a spiritual maturity that will honor You. Grant that this maturity will inspire them to be a part of the solution and not part of the problem. Show our Senators what they can do to lead our Nation toward a more perfect Union.

Stay close to us, mighty God, for we are Your children.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Denis Richard McDonough, of Maryland, to be Secretary of Veterans Affairs.

The PRESIDING OFFICER. The Senator from Iowa.

#### 1776 COMMISSION

Mr. GRASSLEY. Madam President, in his inaugural address, President Biden said his "whole soul" was in the cause of "Bringing America together. Uniting our people. And uniting our Nation"—very worthy things to speak and especially in an inaugural address.

He also recognized that Americans have serious disagreements. Everyone knows that our country is deeply divided politically. I know from his time in the Senate that President Biden understands that people of good will can have honest disagreements about policy.

So he knows that unity does not mean dropping deeply held beliefs and accepting his own policy agenda. As he said—and I have two quotes here—"Every disagreement doesn't have to be a cause of total war" and "Disagreement must not lead to disunion." Real unity requires rediscovering what binds us together as Americans even when we have strongly disagreed politically.

As I have often said, our Nation is unique in human history in that it was founded not on the basis of common ethnic identity or loyalty to, let's say,

a Monarch but on certain enduring principles. Those principles are best articulated in the simple but elegant words of the Declaration of Independence. And you all read these regularly, I am sure.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

It is a common commitment to this ideal that has bound us together as Americans from the beginning. Our patriot forefathers concluded that these principles were worth fighting for and took up arms in an improbable quest to defeat the largest and best trained military at that particular time. This included many Black patriots who fought for American independence—a unifying fact that I believe deserves a monument on the National Mall, something that I have been working toward for years.

I want to quote Margaret Thatcher. She once observed this. It is a fairly long quote, so bear with me.

Americans and Europeans alike sometimes forget how unique is the United States of America. No other nation has been created so swiftly and successfully. No other nation has been built upon an idea—the idea of liberty. No other nation has so successfully combined people of different races and nations within a single culture. Both the founding fathers of the United States and successive waves of immigrants to your country were determined to create a new identity. Whether in flight from persecution or from poverty, the huddled masses have, with few exceptions, welcomed American values, the American way of life and American opportunities. And America herself has bound them to her with powerful bonds of patriotism and pride. The European nations are not and can never be like this. They are the product of history and not of philosophy.

End of Thatcher's quote.

This quote from a British leader is one of the best summaries that I have read about American exceptionalism. The term "American exceptionalism" is often misunderstood, perhaps due to

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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a quirk of the English language. Merriam-Webster's dictionary gives three definitions of "exceptional": one, "forming an exception," as they give an example: "RARE, an exceptional number of rainy days"; or, two, "better than average: SUPERIOR, exceptional skill" are the words they expand on "average"; "deviating from the norm, such as having above or below average intelligence" or physical disability.

Many people here and abroad assume that those who talk about American exceptionalism are just using the second definition and simply asserting that the United States is better than any other country, and that is a wrong interpretation.

American exceptionalism is an assertion of the plain fact that America's foundation is very different from that of most other nations. However, our foundation is increasingly under attack from both the right and the left. Both the 1619 Project and White nationalists assert that America's founding principles are alive and that the United States was founded along ethnic lines.

Oddly enough, this was a position taken by John C. Calhoun in the U.S. Senate when he articulated an alternative to the founding principles intended to justify maintaining slavery in perpetuity. Fortunately, Abraham Lincoln, who revered the Declaration of Independence, prevailed.

The notion that our founding principles are a lie isn't just bad history; it breaks the bonds that unite Americans of all backgrounds.

The 1776 Commission was established specifically to "enable a rising generation to understand the history and principles of the founding of the United States in 1776 and to strive to perform a more perfect Union."

The introduction to "The 1776 Report" states that "a rediscovery of our shared identity rooted in our founding principles is the path to a renewed American unity and a confident American future."

I could not agree more. That is why I was disappointed to see President Biden terminate this commission the same day he took office after making his call for unity. The call to unity is exactly what the President asked for in his inaugural address.

What specifically in that 1776 Commission document does President Biden disagree with? Yes, the report is critical of far-left efforts to denigrate our founding principles, but it is also an important corrective to the alt-right effort to import European-style ethnonationalism, which is also deeply un-American in every sense.

"The 1776 Report" calls for "a restoration of American education, which can only be grounded on a history of those principles that is 'accurate, honest, unifying, inspiring, and ennobling.'"

By contrast, California has proposed an ethnic study curriculum that is rooted in the fundamental divisive ten-

ants of critical race theory, with its focus on separate groups of Americans into different degrees of oppressor and oppressed.

Interestingly, despite the California curriculum's focus on victims of prejudice, discussion of anti-Semitism is omitted in favor of criticism of Israel. This curriculum also totally skips over the life and work of Dr. Martin Luther King, Jr. Remember his dream? I quote that statement that he made:

It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident, that all men are created equal."

Now, that is a very unifying statement. I encourage all Americans to read "The 1776 Report" for yourself. See if you don't agree with the central message that shared attachment to our timeless founding principles is what binds us as a nation. It is no longer available on the main White House website, but it can still be found on the Trump administration's archived website. It is also available on the Hillsdale College website.

#### RUSSIA

Madam President, I have other short remarks that I want to make on another subject.

Twelve years ago this past Sunday, then-Vice President Biden was in Munich, Germany, to deliver the Obama administration's first major foreign policy speech to world leaders. He said:

It is time to press the reset button and to revisit the many areas where we can and should be working together with Russia.

The premise was that the Bush administration had been too tough on Russia, and a more conciliatory approach was needed.

Beyond the rhetoric, this involved abruptly scrapping planned missile defense cooperation with our allies, the Czechs and Poles, on the anniversary of the Soviet invasion of Poland. Keep in mind, this was 6 months after Russia had invaded and occupied territory of our ally, the Republic of Georgia, an occupation that is still ongoing this very day. That all happened a year after the publication of the book entitled "The New Cold War," by Edward Lucas, detailing the dangerous nature of the Putin regime.

The Russia reset was not just a failure; the reset was ill-conceived and counterproductive from the start. Putin's Russia, like the Soviet Union before it, only understands strength. Unilateral concessions actually encouraged further aggression, like we saw and still see with Ukraine.

I appreciate now-President Biden's more recent tough talk on Russia. I like his rhetoric better than many things that President Trump said. However, I like Trump's actions, like sanctions against the Nord Stream Pipeline, arming and training the Ukrainian military, and partnering with our frontline allies.

The Biden administration no longer talks of a Russian reset, but it has al-

ready announced the extension of the one legacy of the reset policy. The New START Treaty with Russia gutted important monitoring and verification measures that were included in the predecessor agreement.

President Reagan famously quoted a Russian proverb, "Trust, but verify," when he was negotiating with Mikhail Gorbachev. New START cut out the "verify" part, leaving only "trust." But surely we have all learned by now that we cannot trust Vladimir Putin. He has been caught redhanded violating other arms control treaties. So, as recently happened, extending the New START treaty without trying to improve it is a missed opportunity.

I hope that President Biden's future actions more closely match his words, and he scraps all vestiges of the Obama Russian reset policy that he announced 12 years ago this weekend.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President pro tempore, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

#### NOMINATION OF DENIS RICHARD MCDONOUGH

Mr. SCHUMER. Mr. President, the Senate is steadily confirming members of President Biden's Cabinet and other key administration officials. In a few hours, we will add one more to the list when the Senate confirms Denis McDonough to serve as Secretary of Veterans Affairs.

Under President Obama, Mr. McDonough was a member of the National Security Council and the White House Chief of Staff. He was a regular face at Walter Reed and a frequent visitor of our troops deployed abroad.

The VA has one of the most sacred missions of all our Agencies, deriving its motto from President Lincoln's second inaugural address:

To care for those who shall have borne the battle.

But the task of achieving that mission is one of organization, institutional know-how, and administrative troubleshooting. I am confident that Mr. McDonough's decades of experience at the highest levels of government make him well qualified to take on the job.

Even as Senators prepare this week to sit as a Court of Impeachment, the Senate will continue its work on other responsibilities. Committees will continue to process nominations, including the nominees to lead the EPA, Department of Commerce, Department of Labor, and the Office of Management and Budget. At the same time, committees will continue the pressing work of addressing the COVID crisis.

Last week, in the early hours of Friday morning, the Senate passed a budget resolution that will pave the way for President Biden's American Rescue Plan. As promised, the Senate held an open, bipartisan, and vigorous amendment process. Several bipartisan amendments passed with overwhelming majorities and were added to the resolution. The fact that the debate went all night and only concluded at around 5:30 in the morning is a testament to the vigor of the amendment process, which, again, I note, was bipartisan. The first amendment, in fact—a very important one by the Senator from Arizona, Ms. SINEMA, and the Senator from Mississippi, Mr. WICKER—helped our restaurant industry, and it was bipartisan.

Now, our Senate committees have instructions to begin crafting legislation to rescue our country from COVID-19; to speed vaccination distribution; provide a lifeline to small businesses; help schools reopen safely; save the jobs of teachers, firefighters, and other public employees; and support every American who is struggling to put food on the table and keep a roof over their heads.

This important, historic work will give hundreds of millions of Americans the relief they need while getting our country back to normal as quickly as possible.

#### IMPEACHMENT

Mr. President, now, on impeachment, tomorrow, the second impeachment trial of Donald J. Trump will commence, only the fourth trial of a President or former President in American history and the first trial for any public official who has been impeached twice.

For the information of the Senate, the Republican leader and I, in consultation with both the House managers and former-President Trump's lawyers, have agreed to a bipartisan resolution to govern the structure and timing of the impending trial. Let me say that again. All parties have agreed to a structure that will ensure a fair and honest Senate impeachment trial of the former President.

Each side will have ample time to make their arguments: 16 hours over 2 days for the House managers, the same for the former President's counsel. If managers decide they want witnesses, there will be a vote on that, which is the option they requested in regard to witnesses.

The trial will also accommodate a request from the former President's counsel to pause the trial during the Sabbath. The trial will break on Friday afternoon before sundown and will not resume until Sunday afternoon.

As in previous trials, there will be equal time for Senators' questions and for closing arguments and an opportunity for the Senate to hold deliberations, if it so chooses.

And then we will vote on the Article of Impeachment. If the former President is convicted, we will proceed to a

vote on whether he is qualified to enjoy any office of honor, trust, or profit under the United States.

The structure we have agreed to is eminently fair. It will allow for the trial to achieve its purpose: truth and accountability. That is what trials are designed to do: to arrive at the truth of the matter and render a verdict. And following the despicable attack on January 6, there must be truth and accountability if we are going to move forward, heal, and bring our country together once again. Sweeping something as momentous as this under the rug brings no healing whatsoever. Let's be clear about that.

Now, as the trial begins, the forces aligned with the former President are preparing to argue that the trial itself is unconstitutional because Donald Trump is no longer in office, relying on a fringe legal theory that has been roundly debunked by constitutional scholars from across the political spectrum.

Just yesterday, another very prominent, conservative, Republican constitutional lawyer, Chuck Cooper, wrote in the Wall Street Journal that Republicans are dead wrong if they think an impeachment trial of a former President is unconstitutional.

Here is what he wrote:

Given that the Constitution permits the Senate to impose the penalty of permanent disqualification only on former officeholders, it defies logic to suggest that the Senate is prohibited from trying and convicting former officeholders. The Senators who supported Mr. Paul's motion should reconsider their view and judge the former president's misconduct on the merits.

That is no liberal. That is Chuck Cooper, a lawyer who represented House Republicans in a lawsuit against Speaker PELOSI, a former adviser to Senator CRUZ's Presidential campaign, driving a stake into the central argument we are going to hear from the former President's counsel.

Now, I understand why this fringe constitutional theory is being advanced. For the past few weeks, the political right has been searching for a safe harbor, a way to oppose the conviction of Donald Trump without passing judgment on his conduct; to avoid alienating the former President's supporters without condoning his, obviously, despicable, unpatriotic, undemocratic behavior. But the truth is no such safe harbor exists. The trial is clearly constitutional by every frame of analysis—by constitutional text, historical practice, Senate precedent, and basic common sense.

Presidents cannot simply resign to avoid accountability for an impeachable offense nor can they escape judgment by waiting until their final few weeks in office to betray our country. The impeachment powers assigned to the Congress by the Constitution cannot be defeated by a President who decides to run away or trashes our democracy on the way out the door. This trial will confirm that fact.

The merits of the case against the former President will be presented, and

the former President's counsel will mount a defense. Ultimately, Senators will decide on the one true question at stake in this trial: Is Donald Trump guilty of inciting a violent mob against the United States, a mob whose purpose was to interfere with the constitutional process of counting electoral votes and ensuring a peaceful transfer of power? And, if he is guilty, does someone who would commit such a high crime against his own country deserve to hold any office of honor or trust ever again?

Consistent with the solemn oath we have all taken to "do impartial justice according to the Constitution and laws" of the United States, that is the question every Senator must answer in this trial.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

Mr. MCCONNELL. Madam President, first, briefly, I am pleased that Leader SCHUMER and I were able to reach an agreement on a fair process and estimated timeline for the upcoming Senate trial.

This structure has been approved by both former President Trump's legal team and the House managers because it preserves due process and the rights of both sides. It will give Senators, as jurors, ample time to review the case and the arguments that each side will present.

#### REMEMBERING GEORGE SHULTZ

Madam President, on a completely different matter, on Saturday, we lost a great statesman and scholar who gave more than 80 of his 100 years to his country.

George Shultz's service began in the U.S. Marine Corps. From the beaches of Palau, he was among the Americans who helped retake the Pacific from Japan. Back home, he earned a Ph.D. in economics. He taught at MIT and would later helm the University of Chicago's Graduate Business School. But public service beckoned, and George Shultz began a decades-long run of ping-ponging prolifically between academia and top government posts.

The first of three Presidents who would benefit from his expert counsel, Dwight Eisenhower, hired him as a senior staff economist back in 1955. A decade and a half later, he was back, this time as President Nixon's Secretary of Labor, where he worked on desegregation and, later, as OMB Director. Then, at a pivotal moment for the U.S. and world economies, George Shultz was tapped to lead the Treasury Department. He fought inflation and worked

to modernize our monetary policy so American leaders could control America's destiny.

After an interlude in the private sector, Secretary Shultz's country came calling again. He spent 6½ of President Reagan's 8 years as Secretary of State. He helped steer the smart and strong foreign policy that clinched the free world's victory over the Soviet Union, but even as the Reagan administration nudged communism into a box canyon, this top diplomat's master touch was vital in making sure that tensions did not rise too high.

As amazing as it sounds, this impressive resume doesn't fully explain George Shultz's incredible reputation. It wasn't just all he did. It was how he did it. He led with thoughtfulness, fairness, and, above all, integrity. He lived by the maxim he shared in his centennial reflection just a few weeks ago.

Here is what he said:

Trust is the coin of the realm.

His honesty and thoughtfulness won wide admiration that transcended politics. He won the trust of career diplomats and State Department staff, including those who did not naturally lean to the Reagan right.

Famously, when new Ambassadors met with him on their way abroad, the Secretary would spin a globe and ask them to point out "their country." The unlucky ones who fell for the trap and pointed to their foreign destinations were swiftly corrected. "No," he said. "Your country is always America."

At the McConnell Center at the University of Louisville, we host a distinguished speaker series. George Shultz honored us as our very first ever distinguished speaker back in 1993, and he kept right on writing and speaking and mentoring young people up until just a few weeks ago.

America was his country, all right. He loved it deeply and served it always. The Senate's prayers are with the Shultz family and all the friends and colleagues he leaves behind, a truly remarkable life.

#### CORONAVIRUS

Madam President, in 2020, a Republican Senate and a Republican administration led five historic pandemic rescue packages on a completely bipartisan basis.

We marshaled the largest Federal response to any crisis since World War II—about \$4 trillion across five bills—all of it completely bipartisan, but now Washington Democrats have other ideas. Even though we are still pushing out \$900 billion in relief that Congress passed less than 2 months ago, even though a group of Senate Republicans met with President Biden to discuss bipartisan avenues for hundreds of billions of dollars more, Washington Democrats have decided they want to go it alone.

It was last March—remember?—when a senior House Democrat called this disaster a "tremendous opportunity to restructure things to fit our vision."

Americans are suffering, but their side seems to see an opportunity to ram through ideological change. That is the impulse behind the Democrats' latest \$1.9 trillion proposal. Their plan for more massive borrowing puts leftwing myths ahead of the scientific evidence and the Nation's urgent needs. While the Biden administration's own scientists say schools could reopen safely right now with smart and simple precautions, their proposal buys into the myth from Big Labor that schools should stay shut a whole lot longer.

While Republicans want to save as many jobs as possible, Washington Democrats are backing Senator SANDERS' demand to more than double the minimum wage. The Congressional Budget Office says this would kill 1.4 million American jobs. Nonpartisan experts say it would send more people to the unemployment line than it would lift out of poverty. But remember, this is all about liberal dreams, not urgent needs.

Some Democrats even want to break Senate rules to jam this through. Last week, the Senate had a 14-hour voting marathon on amendments to the phony, partisan budget that Democrats jammed through as a procedural first step. We got Senators on the record on a host of questions that matter to American families. Sadly, the Democrats blocked our efforts to say that, at the very least, school districts where teachers have been vaccinated certainly need to reopen, to press States to accurately report nursing home deaths, to protect the free exercise of religion, and several more.

Other amendments divided Democrats and were adopted. For example, over some Democrats' objections, the Senate said that illegal immigrants should not receive stimulus checks, that the Keystone XL Pipeline should not be canceled, and that our government should not declare war on fracking. But, amazingly enough, at the end of the night, the very same Senate Democrats who had sought to appear moderate by supporting those three things turned around and voted in lockstep to strip them all out again. Our colleagues who said they supported these changes voted to strip them right back out at the end of the evening. That is about as Washington, DC, as it gets.

For the sake of America's kids, American jobs, Americans' health, Democrats should put the political games aside and resume the same kinds of bipartisan talks they demanded constantly all of last year. American families deserve a process and a bill that put their actual needs at the center.

#### BURMA

Now, Madam President, on one final matter, over the weekend, hundreds of thousands of protesters stood up across Burma in defiance of the military coup.

For a week now, the military has detained hundreds of civil society leaders and democratically elected officials,

some on mysterious or obviously specious charges and others without any charge at all. Their actions were illegitimate right from the start, and the treatment of these political prisoners is showing the world the military regime's disdain for the rule of law.

In the face of this tyranny and with the memory of how brutally the military has dealt with protesters in the past, the public unity of so many of Burma's people is a powerful display of courage. In far-flung cities and towns, members of the country's diverse ethnic groups, from the Burman majority to the Shan and Rohingya minorities, have rallied around the democratically elected government. They are demanding justice and an end to military rule.

I have been encouraged over the past week by the diplomatic efforts undertaken by the administration to demonstrate the U.S. condemnation of the military's flagrant assault on political rights. Today, it is time to follow up with meaningful costs on those who aid and abet the suffocation of Burmese democracy.

The people of Burma in the streets today are putting their lives on the line. As one protestor told the New York Times over the weekend, "I don't care if they shoot because under the military, our lives will be dead anyway."

Today, these protestors are joining in the same refrain heard repeatedly in places like Hong Kong, where democratic progress is too often met with jackboots. They are standing up for basic freedoms, and they are paying close attention to who will stand with them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NEW START TREATY

Mrs. FISCHER. Madam President, I come to the floor today to discuss the administration's decision to extend the New START treaty by 5 years.

Supporters hailed the move, with the New York Times reporting that the President's decision "avoided a renewed arms race." Meanwhile, critics, who believed the question of extension had given the United States leverage to extract concessions from Russia, as well as China, described the move as a wasted opportunity and a giveaway to Putin.

As the last bilateral arms control agreement between the United States and Russia, perhaps it shouldn't be surprising that the debate over extending New START took on outsized importance, with parties on both sides seeing it as the vehicle to accomplish all of their goals. Now, with the extension decided, it comes with an opportunity to regain our perspective and consider

the way forward. This begins with a clearer understanding of what the New START treaty accomplishes and what it doesn't.

To begin with, the New START treaty is not a panacea, and extending the agreement does not prevent an arms race with just the stroke of a pen; nor is it an unfair agreement that locks in Russian advantages. It is simply an agreement between the United States and Russia to limit some but not all of the categories of nuclear arms. China is not a party to this agreement.

As critics have pointed out, the treaty's counting rules obscure the true number of deployed nuclear weapons, and it has not prevented Russia's build-up of other kinds of nuclear arms not covered by its limits. Some have described these as "loopholes" for Russia, but they are well-known limitations that also apply equally to both sides.

Since the treaty was signed, the United States has chosen not to invest in new nuclear weapons outside of the treaty's limits. Well, Russia has done the opposite, and they continue to expand their nuclear arsenal. I disagree with my colleagues who see that as a failure of the treaty. It is a failure in the Russian Government for continuing to build up its nuclear arsenal instead of matching our restraint and lowering those tensions.

But it would also be a failure on our part if we had assumed Russia would refrain from building these systems out of the goodness of their heart. Indeed, Russia's behavior since the New START treaty was signed reminds us that it continues to seek a competitive advantage, and in order to achieve its goals, it will go around the limits, as it has done with the New START treaty, or it will go straight through them, as it did with the INF Treaty.

So Russia's nuclear capabilities continue to expand, as does China's build-up of nuclear arms. That New START hasn't prevented these from occurring reflects the fact that the New START treaty simply does not account for the full spectrum of nuclear challenges, and thus, with the agreement to extend the treaty in place, serious threats still remain that really demand our attention.

The growth of both Russia's and China's arsenals must be addressed. Some have called for the Biden administration to immediately pursue talks to this end.

While hurrying to convene another diplomatic summit may have a reassuring appearance to some, diplomacy is not an end unto itself. It is a means to an end.

It is important to remember that negotiating limits on Russia's tactical weapons and bringing China into the arms control process have long been U.S. diplomatic objectives. Indeed, the Obama-Biden administration sought these goals, as did the Trump administration, which deserves credit for elevating them to the highest levels. However, the consistent refusal of both

Russia and China to engage in serious talks demonstrates that neither nation feels sufficient incentive to negotiate. New attempts at negotiations without addressing this wouldn't achieve a different result.

In truth, what is needed isn't another conference in a European capital; it is a serious effort here at home to create incentives for both Russia and China to halt their nuclear buildups and to have them choose a different path.

Congress and the administration should work together to strengthen the hands of our negotiators. To that end, we can start by rejecting calls being made by some advocates to cut our nuclear forces unilaterally or allow them to age into obsolescence by delaying their much needed modernization. These calls are not new; however, our senior military leaders have consistently advised against such courses of action, and the past two administrations have rejected them as well. They should be rejected again.

As most in this Chamber know, our nuclear forces have aged far beyond their designed lifetime. After delaying and deferring the modernization of our nuclear forces for decades, we are now at an inflection point. As Admiral Richard, the current STRATCOM commander, testified last year, "Many of the modernization and sustainment efforts necessary to ensure the deterrent's viability have zero schedule margin and are late-to-need."

His point is clear. Further delay will result in capabilities aging-out with no replacements available. Our nuclear deterrent would literally wither on the vine. This would have a number of disastrous consequences for our security at a time when nuclear threats are growing, and it would also dramatically undermine future diplomatic efforts to negotiate limits with Russia and China on their arsenals. After all, why would either nation agree to new rounds of arms reductions if they knew that the United States was cutting its forces anyway, regardless of whether they agreed to do likewise?

We must keep this in mind when we hear calls to dismantle the triad or cancel our modernization programs. Doing so would make our country less safe by cutting the forces needed to deter aggression, and it would make the world less safe by ensuring that the United States is never in a position again to push for real reductions to Russian and Chinese nuclear forces.

Instead of reducing incentives for Russia and China to negotiate, Congress and the administration should work together to strengthen them and set the conditions for successful diplomatic efforts in the future.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DENIS RICHARD McDONOUGH

Ms. KLOBUCHAR. Madam President, today I rise in support of my friend and fellow Minnesotan, Denis McDonough, as President Biden's nominee for Secretary of Veterans Affairs. And no one knows but you, the Senator from Illinois, Madam President, about how important this job is for our veterans.

Denis grew up in Stillwater, MN, which is right near the Wisconsin border. He is a grandson of Irish immigrants, the son of devout Catholic parents, and brother to 10 siblings. He attended St. John's College in Collegeville, MN, and in addition to graduating summa cum laude, he played safety on the very proud championship St. John's football team.

I have been privileged to call Denis a friend for years, and I know he will serve our country well as the Secretary of Veterans Affairs. As he has done his whole life, he will honor the promises our country has made to our veterans and their families.

Denis's commitment to our Nation's veterans was clear during his time as President Obama's Chief of Staff, where he made sure that every decision impacting our servicemembers, veterans, and their families was befitting of their sacrifices. Showing respect and gratitude for our Nation's veterans is not something Denis just prioritizes; it is a value for him.

As we know from his time as President Obama's Chief of Staff, he is an adept manager who understands how to tackle complex challenges throughout our government, which will be vital for the next Secretary.

As we also know, the VA is facing a number of challenges, from helping veterans to stay safe during the pandemic to improving the quality of care for veterans around the country. These are not simple problems, and these are not simple challenges, and they will require, as you have shown, Madam President, true leadership and vision, which has been, again, the hallmark of Denis's time in public service.

I also know that he will work tirelessly to find bipartisan solutions, and I think you see that from the support that he has gotten throughout the country as well as on the Veterans' Affairs Committee, where I was honored to introduce him when he started on this journey of Senate approval, and it has never been more important than ever to unite our country and get that kind of support. So much of our work with our veterans is about keeping our promises and showing respect, not just in words but in actions.

What other Senators who don't know Denis as well or are new to Washington—what they may see as time goes on, they will see the qualities of honor and loyalty in Denis's commitment to his family, which also includes his family in Minnesota. I know this firsthand. He has so many relatives that you can't go anywhere without

running into some McDonough. You see it in how he has treated everyone he has worked with, when he worked in the Senate, when he worked as President Obama's Chief of Staff. I also will assure my fellow Senators that he will listen to Senators. He will have respect for the people who work here. You see it every day in how he always puts his country first.

During his distinguished career, Denis has approached each and every job with the spirit of respect, honesty, collaboration, and a willingness to make himself accessible to his colleagues and his team. He is deeply committed to supporting the workforce at the VA.

I want our veterans to know he will do two things so well: He will listen, and he will get things done for you.

One of my favorite stories about Denis involves this—listening and then getting things done. We were having a lot of trouble up in northern Minnesota with the iron ore mines closing down, as you all remember, kind of coming out of the downturn. It never really bounced back. Then we had the steel dumping going on from China and other countries, the illegal steel dumping, and that really spread through the country and led to the closure of many of our mines.

We tried to introduce legislation, and finally I asked Denis to come up to northern Minnesota, since he was from our State, as President Obama's Chief of Staff and sit down with a bunch of mayors from northern Minnesota, from Minnesota's Iron Range, with workers and with mine owners.

There was this long, long table, and nearly everyone had spoken. Near the end, a miner named Dan Hill was the last to go, and he said: Well, everything has been said, so I will just tell this story. He said that he was out of work, and he said that his son had just graduated from preschool. The teacher asked them at the graduation: What do you want to do when you grow up? The kids were saying all kinds of things—that they wanted to play basketball or they were going to fly an airplane and all kinds of cool things—and Denis's son looked at the teacher and said: I want to be a miner like my daddy.

At that moment, Dan Hill took this steelworker T-shirt that he had in his hand and he threw it across the whole long table. And I remember sitting next to Denis thinking, you were a football player; catch the T-shirt. And he caught the T-shirt.

Dan Hill said:

Mr. McDonough, make it come true. Make it come true.

Denis listened, but then he acted. He went back to Washington and he didn't just ignite a fire under the Commerce Department to get them to do even more work than they were already doing on enforcing tariffs and going after this illegal dumping and bringing things to the International Trade Commission, he also looked at other agencies, and he helped us, along with

SHERROD BROWN and so many others, to pass legislation that made a difference.

All of this happened, and Dan Hill got his job back. Then I invited Dan Hill to come to one of the last State of the Unions for President Obama, and Denis invited Dan Hill to the White House, and Dan Hill got to meet practically everyone surrounding the President.

That is Denis McDonough. He listened, but he didn't just say "Oh, I got there. I went. We will try our best"; he actually followed through the minutia of government to get things done.

I am going to end with the words of a poet whom President Biden happens to love. Given Denis's Irish roots, I can't think of a better person to quote from today, and it is Mr. Heaney, who once wrote: "Anyone with gumption and a sharp mind will take the measure of two things: what's said and what's done."

So Denis will not just say words to the veterans of this country; as your Secretary, he will get things done.

With that, I ask my colleagues to support the nomination of Denis McDonough as Secretary of Veterans Affairs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMPEACHMENT

Mr. CORNYN. Madam President, it has been more than a month since a violent mob stormed this building and attempted to disrupt the congressional certification of Presidential electors—the vote of those electors. Rather than a peaceful transition of power, some of the mob turned their grievances into violent action. But, again, that is the problem with mobs. No matter what the intentions were of those who were simply exercising their rights to free speech and free assembly, mobs invariably degenerate into the lowest common denominator.

That element of the mob assaulted police officers, destroyed property, and trespassed in the halls of the U.S. Capitol. Some roamed these halls in search of Members of Congress against whom they actually threatened harm. And if not for the heroism of the men and women of the Capitol Police, the human cost would have likely been higher.

The criminal acts of the mob were disgraceful and indefensible. Regardless of party or politics, there should be no disagreement on that most basic point. The people making up this mob came to Washington with the idea that the results of the 2020 election were not final. President Trump fed that fantasy by repeatedly claiming the election was stolen, even after he had exhausted

all of his legal remedies in dozens and dozens of lawsuits. The President's actions were reckless. He should have known better than to stoke a flame he could not and did not control.

But the events of January 6 are only part of the story, and it is the congressional response, including impeachment, that I now want to talk about. Simply put, this snap impeachment raises serious questions about fundamental fairness, due process, or, more accurately, a lack thereof. Unlike previous impeachments, there was no formal inquiry, no investigation, no hearings, no witnesses, no cross-examination, no nothing. We know impeachment is not like a traditional judicial proceeding. It is not a court of law. But it does make common sense—and I think this was the direction we gave the House during the last impeachment trial—that it is the House's obligation to investigate, develop the evidence, and then charge, not the other way around.

Historically, this has been true for impeachment proceedings. Each time, the House has conducted a full-scale investigation before a vote on the Articles of Impeachment. As I said, that was the case last year when the House spent months deposing witnesses, holding hearings, building a case against the President before ever announcing formal charges.

But this time around, they took an entirely different approach. In attempting to justify this unprecedented departure from a fair and dignified proceeding, some of our Democratic friends claim that no evidence needs to be presented, saying that we were all witnesses to what happened on January 6 and that we can be jurors, witnesses, and, in the words of at least one Democratic Senator, victims all at the same time.

This week, President Trump's defense team will have the opportunity to present its case, and I expect the lack of due process to be a major area of focus and rightfully so.

Unfortunately, that is not the only problem with this impeachment trial. The Constitution requires the Chief Justice of the U.S. Supreme Court to preside over the impeachment trial of a President. But since this is the trial of a former President, a private citizen, someone who no longer holds office, Chief Justice Roberts will not be presiding. As a result, the senior Senator from Vermont will now serve as both a judge and a juror, in addition to being a witness, I presume, and, in the words of another Senator, a victim.

I respect Senator LEAHY, but the fact of the matter is, he cannot be an impartial arbiter. He has a conflict of interest. Following the House's impeachment vote, Senator LEAHY called President Trump "the greatest threat to the Constitution and to American democracy in a generation." He voted to convict Donald Trump during the last impeachment trial and apparently has already decided to do it again in this trial.

The fact of the matter is, no American, let alone a former President, should be tried before a juror who has already determined guilt or innocence and who also serves as a judge. I want to be abundantly clear, though, on one point. President Trump's words and actions leading up to the attack were reckless and wrong, but as we all know, the constitutional standard for impeachment isn't recklessness.

Treason, bribery, or other high crimes and misdemeanors—those are the offenses that the Constitution allows Congress to impeach and remove a President from office for violating or from committing, which brings us to one of the biggest concerns I have. Donald Trump is no longer President of the United States. He is a private citizen. Our Democratic colleagues moved so fast that they could impeach the President while he was in office but failed to transmit the Articles to the Senate until he became a private citizen.

Legal experts have debated not only the constitutionality of trying a former President but also the wisdom of doing so, and I share concerns on both those fronts. I think this ill-timed impeachment trial sets a dangerous precedent for future former Presidents.

As politicized as impeachment has become, it could become a reoccurring political exercise that would be toxic for our democracy. Prominent Democrats have warned about the dangers of using impeachment as a political weapon against an opposing party.

During the impeachment inquiry of President Clinton, Senator LEAHY himself counseled:

A partisan impeachment cannot command the respect of the American people. It is no more valid than a stolen election.

I agree with him. The problem with one party using impeachment to exact political retribution on an opposing party's President at the end of his term or even after that President has left office seems quite obvious to me. It is political retribution.

Depending on which party controls Congress and which occupies the White House, this could turn into a regular blemish on our democracy. Rather than focusing together on our future and a new administration, seeking common ground and unity, as President Biden has called for, such a precedent of trying a former President could create an endless feedback loop of re-creation.

I think this is a dangerous and destructive path, and I would implore my colleagues on both sides to consider the long-term implications of this precedent. As Justice Story explained, the Framers saw the Senate as a tribunal, in his words, "removed from popular power and passions . . . and from the more dangerous influence of mere party spirit," and was guided by "a deep responsibility to future times."

So, as before, I don't take my role as a juror lightly, and I will reserve final judgment until both the House im-

peachment managers and President Trump's defense team have had the opportunity to present their cases. But I do think, indeed, I fear, we are skating on very thin ice and are in danger of inflicting great harm to our country by this rushed, unfair, and partisan proceeding. May God help us.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ISSUES FACING AMERICA

Mrs. BLACKBURN. Madam President, when President Biden addressed the Nation on Inauguration Day, he promised unity and bipartisanship. It was a big part of his inaugural address, and so far the Democrats here in Washington are not living up to that promise. Their message, and we saw this last week, is not unity; it is submit and conform.

On his very first day in office, President Biden rubberstamped 17 separate Executive orders. Since then, he has approved so many changes that a lot of Tennesseans can barely keep track of the orders and memos and directives that are flying out of the Oval Office.

It is safe to say the only benchmark they have to work with is the number of lost jobs we will see as a result of all of this paper-and-pen governance and paperwork. Jobs gone—stroke of a pen.

The American people are very unsettled by this. I am hearing it from Democrats, Independents, Republicans, Libertarians.

Last week, I came to the floor, and I spoke in detail about how this lack of clarity about the future has made many Tennesseans fearful of the impending changes to our national security policy. They are very unsettled.

So many of our veterans in Tennessee have talked with me about this. They don't like all this soft talk when it comes to talking about China and Russia and Iran and North Korea. They are worried about what comes next. The domestic policy mandates have done nothing at all to give reassurances or calm spirits.

Last week, the Senate Democrats put forth a budget proposal that treats struggling communities like hypotheticals that could work with theoretical changes, all created for a graduate-level economics exam. They are not dealing with real problems and real life.

For about 15 hours, we debated and voted on a fraction of the almost 900 amendments filed in an attempt to do some damage control to that budget resolution. But when Friday morning came and went, all the Democrats had to offer was a glaringly partisan resolution that blatantly contradicted President Biden's stated commitment to unity and bipartisanship.

And, you know what, in a perfect world, the solutions the Democrats have come up with just might work. But we do not live in a perfect world; we live in a fallen world.

This country is not created in the image of the Democratic Party. To anyone who has ever managed a small business budget, what my colleagues on the other side of the aisle are trying to do just does not make good common sense.

One of the top issues I hear about from people back home in Tennessee is this proposal they have for a \$15-an-hour minimum wage. I feel I should remind my colleagues that resistance to this mandate doesn't come from a place of stinginess or classist hatred but from a place of absolute confidence that it will destroy small businesses, even with the phase-in period.

I have not heard from a single business owner who will be able to pay the wage and employ the same number of people—not one. They will have to let staff go.

A report by the Congressional Budget Office released just today echoes and confirms their concerns. By 2025, the Democrats' proposal will cut jobs for 1.4 million workers, at a time when workers are struggling to get back to work. So much for job creation, and we all know the best economic stimulus is a job.

Just 6 weeks ago, Congress passed a \$900 billion COVID relief package. Very little of that money has been spent. Yet Democrats and the White House continue to demand trillions—that is right, trillions—in overbroad spending that targets no specific problem and has no actual bipartisan support. If that is not bad enough, billions of dollars from last year's bipartisan relief packages, all five of them, also remain unobligated.

So we are at \$3.6 trillion in spending, and they are wanting another \$1.9 trillion, with little idea of the effect that remaining unobligated funding will have on the economy. But still, the data shows that what has been spent already has made a difference and will continue to do so.

Relief should be timely. It should be targeted. It should be temporary. Those that need the help should get the help, but we do not need overbroad spending.

The Congressional Budget Office released another report just over a week ago showing that if we leave the laws governing how we tax and spend alone—leave them alone on the books, in force—the GDP will continue to rise and the economy will get back to its prepandemic health without, without Congress authorizing one more penny in relief spending.

So the American people want to know why, why are the Democrats claiming that the only solution to our present crisis is to spend as much as possible, as quickly as possible, without considering which sectors of the economy actually need the help, which families need help, which individuals need help.

What we do know is what we saw in 2009 and 2010 and 2011 and 2012 and 2013 and 2014 and 2015, which is that, if you



get in here and overspend without targeting, without direction, you slow the recovery. We know that. We watched it. We lived through it.

They are going to need a better answer than “because we say so,” “because this is what we are going to do,” because the people understand that the Federal deficit was historically large even before the pandemic. They know how debt works and that a big deficit means more of that Federal debt.

They also know that who holds that debt matters and that we are beholden, right now, to China, to OPEC, for trillions of dollars in that debt.

Scale that down for a minute. When that same thing happens to one of these small businesses, when they max their credit line, if they fall behind in their payroll, they can't plan for the future, they can't plan for emergencies, and they can't invest in their own success.

The same concepts apply to the Federal budget. You cannot tax and spend your way to prosperity. You have to have economic growth.

So I ask my colleagues: Why are you making decisions that are going to slow the recovery and slow the economic growth?

The Democrats' approach to planning for the future might sound good in theory, it might sound good in hypotheticals, but real-life economics is not. Future pandemics are not. The need to innovate and stay competitive in the warfighting domain is not. Those are real-life issues.

The Democrats have been so aggressive this past couple of weeks, and President Biden, in taking out the eraser and trying to erase 4 years of productive policy that benefited millions of Americans, and the people are starting to wonder what else they are going to throw away in favor of a very autocratic, authoritarian, empty vision for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I ask unanimous consent that I be able to finish my remarks before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DENIS RICHARD McDONOUGH

Mr. VAN HOLLEN. Madam President, I rise to support the nomination of Denis McDonough to be Secretary of the Department of Veterans Affairs. Mr. McDonough brings to this position a wealth of experience as a national security professional and White House Chief of Staff. He knows how to solve problems, break down bureaucratic silos, and deliver results.

As the VA Secretary, Mr. McDonough will face a host of new challenges brought on by COVID-19. I appreciate his commitment to addressing these issues head-on, including the need to lead an aggressive effort to vaccinate veterans and their healthcare providers, ensure that claims are processed in a timely man-

ner, and review the proposed rule on VA home loans exiting COVID-19 forbearance.

In addition to the immediate challenges posed by the COVID-19 pandemic, I know that one of Mr. McDonough's priorities is to tackle the structural needs of the VA. I am also pleased that Mr. McDonough has already promised to defend the VA healthcare system against efforts at privatization. Additionally, I am grateful for Mr. McDonough's assurances that he will act assertively to create a culture of zero tolerance toward sexual harassment and assault in the Department. This is of particular importance after a VA inspector general's report found that his predecessor engaged in active measures to discredit a congressional staffer who reported that she was sexually assaulted at a VA medical center. We must ensure that our women veterans are treated with dignity and respect at all VA facilities.

I also want to applaud Mr. McDonough's pledge to make ending veteran homelessness a national priority. My home State of Maryland has been a national leader in this effort. Montgomery County, MD, effectively ended veteran homelessness in 2015, and the Veterans Village in Perryville is creating a model for using VASH vouchers to build supportive communities that house and provide services to homeless veterans. The State is also moving forward with an aggressive effort to build a second veterans home in Sykesville. This is a moral imperative, and Maryland has been leading the way. I trust that we will have the same level of urgency from the VA under Secretary McDonough, and I look forward to continuing the partnership on these efforts.

The Department of Veterans Affairs provides crucial services, care, and peace of mind for our Nation's 18 million veterans. The VA has more to do to make sure that the care that it provides is worthy of those who served our Nation. I believe that Mr. McDonough's experience has prepared him well to continue that effort, and I support his nomination.

Mr. TESTER. Madam President, I rise today in support of Denis McDonough. Denis is President Biden's choice to lead the Department of Veterans Affairs.

Though there is a great political divide in our Nation, I believe that veterans across the country and Members on both sides of the aisle are united by a very basic expectation: that the next VA Secretary be an individual of honesty, integrity, and vision. This individual must listen to veterans and put their well-being above all else.

Denis McDonough has demonstrated that he is, unequivocally, the man for this job. And to be clear, this is not an easy job. But Denis is used to making tough calls. He has shown an exemplary commitment to public service and a strong willingness to do right by those who have worn the uniform and sacrificed on behalf of our liberties.

As White House Chief of Staff, he quickly earned a reputation for getting the job done, working across Federal Agencies, and finding common ground. For the last 20 years, he has played a key role in many decisions surrounding sending our military men and women to war and knows that taking care of these folks when they return home is a cost of war and a shared responsibility.

Veterans need someone like Denis fighting in their corner, but the truth is there is simply too much at stake.

With more than 400,000 Americans dying from COVID-19 in less than a year, the VA Secretary's top responsibility will be ensuring that the Department has everything it needs—from vaccines to personal protective equipment, to additional healthcare and supportive services—to care for veterans and to protect the VA's employees.

He will be held accountable when it comes to swiftly implementing a number of historic reforms, from the John Scott Hannon Veterans Mental Health Care Improvement Act, a bill that is out-of-box thinking to help our veterans in the mental health challenges and suicides that have resulted, to the Deborah Sampson Act, an act to help the largest or the fastest growing group of veterans, our women veterans, have access to care, to the expansion of presumptive coverage for thousands of additional Vietnam veterans exposed to Agent Orange and overdue coverage for our Vietnam veterans—not to mention a myriad of other critical priorities that have been in the works for years and need serious attention, such as the Caregivers Program and the electronic health record modernization effort.

But Denis is fully prepared to take on these responsibilities. He is ready to build the trust of our Nation's servicemembers, veterans, and their families, and treat them with the respect that they have earned.

Now more than ever, veterans need a strong leader who will prioritize delivering timely and quality healthcare and benefits over making political points. I am confident that, as VA Secretary, Denis will be squarely focused on serving these needs.

I ask my colleagues to join me today in confirming him to this role, where I have no doubt that he will be successful. Our Nation's veterans are counting on us.

Now, unfortunately, my friend and colleague, the ranking member of the Senate Veterans' Affairs Committee, JERRY MORAN, couldn't make it back in time for this nomination due to bad weather and flight delays. But he was planning on voting to advance this nomination today because he believes Denis McDonough is someone who shares his commitment to taking care of our veterans.

With that, I yield.

VOTE ON McDONOUGH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the McDonough nomination?



Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, The Senator from Kansas (Mr. MORAN) would have voted "yea."; and the Senator from Pennsylvania (Mr. TOOMEY) would have voted "yea."

The result was announced—yeas 87, nays 7, as follows:

[Rollcall Vote No. 55 Ex.]

#### YEAS—87

Baldwin	Hassan	Reed
Bennet	Heinrich	Risch
Blackburn	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Hoeven	Rounds
Booker	Hyde-Smith	Rubio
Boozman	Johnson	Sanders
Braun	Kaine	Sasse
Brown	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Scott (SC)
Cardin	Klobuchar	Shaheen
Carper	Lankford	Shelby
Casey	Leahy	Sinema
Cassidy	Lee	Smith
Collins	Lujan	Stabenow
Coons	Lummis	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	Markey	Thune
Cramer	McConnell	Tillis
Crapo	Menendez	Tuberville
Daines	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Grassley	Portman	Young

#### NAYS—7

Cotton	Hagerty	Scott (FL)
Cruz	Hawley	
Ernst	Marshall	

#### NOT VOTING—6

Barrasso	Inhofe	Paul
Burr	Moran	Toomey

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Ohio.

### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

(At the request of Mr. TESTER, the following statement was ordered to be printed in the RECORD.)

#### CONFIRMATION OF DENIS RICHARD McDONOUGH

• Mr. MORAN. Madam President, I would like to speak in support of confirming Denis McDonough to be Secretary of Veterans Affairs. Mr. McDonough has demonstrated his dedication to public service over the last 25 years and has assured me that he will bring that same dedication to the Department of Veterans Affairs in its mission to serve our veterans.

He has experience leading and implementing policy across the Federal Government and has earned a reputation for being able to make government work better. Although he is not a veteran, he has made his case that he is personally devoted to serving veterans and seeing them achieve success, and it is my belief that he is sincere in that assertion.

Mr. McDonough testified that he appreciates the clear roles of Congress in passing law and of the executive branch in executing them. He has committed to me and to our committee that he will faithfully implement critical VA reforms in line with congressional intent, and I intend to hold him accountable for the decisions and actions he makes as Secretary.

We have made significant progress with the VA to provide permanent veterans' choice in access to care, mental health and suicide prevention, employee accountability, and improved benefits for veterans, their dependents, and survivors. We cannot backtrack on this progress, and the next VA Secretary must be ready on day one to continue building on this success.

I will support Mr. McDonough's confirmation and hold him to his commitment to work with our committee and with our veteran stakeholders to deliver the improved benefits and services Congress has legislated. •

#### REMEMBERING RICHARD THORNBURGH

Mr. CASEY. Mr. President, today I want to pay tribute to the late Richard L. Thornburgh, a former Pennsylvania Governor and former U.S. Attorney General. Dick Thornburgh was also a hero to the disability community for his longstanding advocacy for the rights and self-determination of people with disabilities.

Born in Pittsburgh on July 16, 1932, Dick received an undergraduate degree from Yale University and a law degree from the University of Pittsburgh Law School before going into private practice.

In 1969, President Richard Nixon appointed Dick as the U.S. attorney for the Western District of Pennsylvania, and in 1975, President Gerald Ford appointed him to serve as the Assistant

Attorney General for the Justice Department's Criminal Division. Two years later, he returned to Pennsylvania.

In 1978, Dick was elected Governor of Pennsylvania and was reelected in 1982, becoming the first Republican to serve two successive terms as Governor of the Commonwealth.

During his time in office, Governor Thornburgh provided a steady hand and a calm demeanor. Most notably, he led Pennsylvania through the Three Mile Island crisis, America's worst nuclear meltdown. He took charge of the crisis and in so doing won praise from President Jimmy Carter and from Pennsylvanians for how he handled the potential disaster. At the time of the Three Mile Island Crisis, Governor Thornburgh said:

You have to reassure people. You have to go before the cameras and microphones and tell them what you know and what you don't. You have to stop the rumors and, of course, you have to make decisions. There isn't any Republican or Democratic way to deal with a nuclear crisis. Nobody has ever had to deal with this kind of accident before.

In 1988, President Ronald Reagan nominated Governor Thornburgh to be the U.S. Attorney General, a position in which he served until 1991. He resigned in 1991 to run for the U.S. Senate in Pennsylvania following the tragic death of Senator John Heinz in a plane crash. Governor Thornburgh lost the Senate election to Harris Wofford, who had been appointed to the vacancy 6 months before the 1991 election.

Following his Senate run, Governor Thornburgh served a 1-year appointment as Under-Secretary General at the United Nations at the request of President George H.W. Bush. In that role, he sought to bring reform, transparency, and accountability to the United Nations.

After his service at the United Nations, Governor Thornburgh returned to private practice but would continue to serve in advisory roles at the State and Federal level, imparting his wisdom and experience in a number of different arenas.

Of his many contributions to public life, Governor Thornburgh was especially respected in the disability rights community for his tireless advocacy for the rights and self-determination of people with disabilities.

Governor Thornburgh's son, Peter, was injured in a car accident in 1960, a tragic accident that also killed Thornburgh's wife, Ginny Hooton. The accident left Peter Thornburgh, then just 4 months of age, with a significant brain injury that caused physical and intellectual disabilities. Governor Thornburgh is quoted as saying that the accident "made him think about what he could do with his life to contribute to the world."

As Attorney General in Bush Administration, Dick Thornburgh helped to shepherd the Americans with Disabilities Act, ADA, through Congress during a most critical period in 1989. On

June 21, 1989, then Attorney General Thornburgh affirmed to the disability community and the Nation the Bush administration's intent to support the passage of the ADA and to sign the legislation when Congress passed the bill.

When the ADA passed Congress, Attorney General Thornburgh said that the day was "one of emancipation, not just for the millions of Americans with disabilities who will directly benefit from this Act, but even more so for the rest of us now free to benefit from the contributions which those with a disability can make to our economy, our communities and our own well-being."

Walter Cohen, who served as both Pennsylvania's secretary of public welfare and attorney general, stated that Governor Thornburgh was responsible for Pennsylvania creating home and community based services for people with disabilities and for ordering the closure of the Pennhurst State School and Hospital, which had been found to be housing hundreds of people with developmental and intellectual disabilities in squalor.

Mr. President, for many Governor Thornburgh is known for his decades of public service to the Commonwealth of Pennsylvania and to the Federal Government. He is deserving of this recognition, and the people of Pennsylvania owe him their deepest gratitude for his service. But any discussion of Governor Thornburgh's service would be incomplete if we did not pause to note that because of his efforts, in part, the lives of people with disabilities have been dramatically improved. Our built environment and transportation system have been made available to all people. It is now understood that every child, no matter their disability, has the right to a quality, public education. People with disabilities, rather than living in institutions, are now free to grow up and flourish in the community and setting of their choice.

These opportunities may be taken for granted now, but they were hard fought gains achieved through the sweat and tears of the disability community and those who fought alongside them every step of the way. Dick Thornburgh was one of the greatest of these champions. His public service to the Commonwealth of Pennsylvania is worthy of commendation. We extend condolences to Dick's wife, Ginny, his sons, John, David, Peter and William, and to his grandchildren and great grandchildren.

#### TRIBUTE TO COLONEL RAY RENOLA

Mr. REED. Madam President, today I pay tribute to a very special Rhode Islander, COL Ray Renola, USA (Ret.), who holds a unique distinction among all Americans.

Mr. Renola, at 104 years old, is the oldest living graduate of my alma mater, the U.S. Military Academy at West Point. A member of the class of 1940, Mr. Renola stands at the head of the Long Grey Line of West Pointers who have served the Nation since 1802.

As described in a recent column by Mark Patinkin in the Providence Journal, Ray was the son of Italian immigrants and one of eight children raised on the West End of Providence. He was a graduate of Classical High School in Providence and then entered Brown University, but in 1936, he made the decision to serve his country and restart and complete his college education at West Point.

Like many of our World War II veterans, Ray did not talk much about his service on the western front as a lieutenant colonel and commanding officer of the 375th Field Artillery Battalion. In short, he deployed his battalion and led them against fierce enemy resistance, unpredictable weather, harsh terrain, and austere conditions. And he led them as they made great contributions to Allied forces during the push toward Berlin in 1944-1945. After the war, Ray continued his service to our country with postings from Belgium to the Pentagon, before retiring from the military after 20 years of service. He had a similarly successful career in the private sector, working for Bulova and GTE.

He found the love of his life with Lucille, to whom he was married for 30 years, until her passing in 2010. They shared an active life of sport and travel. He remains the loved and revered patriarch of the larger, extended Renola family.

Ray embodies what it means to live an extraordinary life: love for his country; love for his family; a life of duty, honor, and country.

#### RECOGNIZING JANE HARMAN

Ms. COLLINS. Madam President, when Jane Harman left Congress in 2011 to head the Woodrow Wilson Center for International Scholars, she described herself as dedicated to the belief that the political center is where most Americans are and where the best policy answers are found. As this great leader and my dear friend steps down from the Wilson Center, I take this opportunity to thank her for unswerving devotion to that principle.

Our friendship was forged in the challenging days after the terrorist attacks of September 11, 2001. Reaching across the aisle, we worked closely together as leaders of the Homeland Security committees in the House and Senate. From the landmark intelligence reform legislation we crafted, to addressing protections for our Nation's cargo ports and other critical infrastructure, to improving emergency preparedness in communities throughout America, Jane was always an informed, effective, and committed partner.

I will never forget how, when Jane testified at a Senate Homeland Security Committee hearing on maritime security in 2006, she called me her "Security Sister." It is a title that fills my heart with pride and affection.

Jane's untiring work to protect our Nation defines her public service.

Elected nine times by the people of California's 36th Congressional District, she served on all major security committees—Homeland Security, Intelligence, and Armed Services. She served as ranking member of the Intelligence Committee's Working Group on Terrorism and Homeland Security and chaired the Homeland Security Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment.

After Jane left Congress, she served as a member of the Director of National Intelligence's Senior Advisory Group. She currently serves on the Executive Committee of the Trilateral Commission and the Advisory Board of the Munich Security Conference. She also cochairs the Homeland Security Experts Group and is a member of the Presidential Debates Commission and the Committee for a Responsible Federal Budget.

Jane has been recognized as a national expert at the nexus of security and public policy issues with the Defense Department Medal for Distinguished Service, the CIA Agency Seal Medal and Director's Award, and the Director of National Intelligence Distinguished Public Service Medal. The University of Southern California's Presidential Medallion, its highest award, is a fitting tribute to her outstanding service to her State and to our Nation.

Jane is the first woman to lead the Wilson Center. Chartered by Congress in 1968, the center is the Nation's key nonpartisan policy forum for tackling global issues through independent research and open dialogue. Under her leadership, the center advanced its mission to generate actionable ideas for policies that affect our security and our relations with the world.

No tribute to Jane would be complete without mention of her late husband, Sidney. Driven by a shared ideal of public service, they accomplished so much in politics, business, philanthropy, and the arts.

I thank Jane Harman—my colleague, my friend, my "sister"—for all that she has done for our country. I wish her all the best in her future endeavors.

#### ADDITIONAL STATEMENTS

##### REMEMBERING RALPH "CHAD" COLLEY, JR.

• Mr. BOOZMAN. Madam President, I rise today to honor the life of Ralph "Chad" Colley, Jr., who passed away on January 30, 2021, at the age of 76. Mr. Colley was a hero in every sense of the word. His courage, positive nature, and life of service provided a shining light that inspired everyone around him.

Colley was a veteran of the Vietnam war, a gold medal athlete, an accomplished pilot, a successful businessman, and a tireless advocate for veterans and all Americans with disabilities. His military honors included the Silver

Star, Bronze Star, Purple Heart, and Combat Infantryman Badge.

Colley was born in Fort Smith, AR, on May 13, 1944. His father served in the U.S. Army, and the family lived in Kansas, Georgia, Germany, and Japan. He attended North Georgia College, where he earned a bachelor's degree in mathematics, played football, and ran track. After his graduation in 1966, he followed in his father's footsteps and served as a commissioned officer in the U.S. Army. A year later, he married Betty Ann Putnam, and they shared 53 years together. They had two children, Ryan and Emily.

As part of the 101st Airborne Division, Colley arrived in Vietnam in November 1967. Within 6 months, he was a company commander. In July of 1968, he was commanding the 3/187th infantry company when he stepped on a landmine. The blast led to amputation of both of his legs above the knee and his left arm below the elbow. While recovering, he sent Betty Ann a letter that said, "I'm banged up pretty bad, but I'm still me."

He recalled in later years that he was grateful to have only suffered physical injuries. "I had to get on with it. Plain and simple." And, he did get on with it. Although he had to leave his lifelong dream of serving in the military, he did not let this dramatic change of plans slow him down.

Within 2 years of his injury, the Colleys had settled in Barling, AR, where he began selling real estate in 1970. That same year, he was honored nationally as the Outstanding Disabled Veteran of the Year, obtained his pilot's license, and took up skiing.

Throughout the 1980s, Colley provided leadership to help disabled veterans and was part of efforts to make public facilities more accessible to all disabled Americans. He served as a member and leader with the Disabled American Veterans, DAV, National Amputee Chapter 76 in New York, and with the DAV in Arkansas. Colley was elected national commander for the DAV from 1983 to 1984 and lived in Washington, DC, to advocate for veterans on a national and international level.

Colley also devoted time to helping candidates he believed in, including working on the Arkansas State GOP Executive Committee, the Sebastian County GOP Committee, and on the Presidential campaigns for both George H.W. Bush and Bob Dole. His efforts led to him speak at the 1996 Republican National Convention in San Diego, CA.

His life was not all policy and politics, and his involvement in the DAV led him to further develop his passion for snow skiing. Colley was a natural athlete and was eventually selected for the U.S. Paralympic Team. During the 1992 Paralympic games in Albertville, France, he won gold medals in both downhill and super-G events. He was 48 years old.

By 2002, Colley had retired. He and Betty Ann shared time between their

homes in Barling and New Smyrna Beach, FL. He remained active in veterans organizations and gave his voice and influence to countless projects, including plans for future expansion of the Fort Smith National Cemetery.

In 2017, Colley shared memories of his favorite childhood Christmas with *Do South Magazine*. When he was 11 years old, his parents hosted holiday gatherings in their small home for all 120 men in the four platoons his father commanded. The expense of providing food for all of those people meant a much smaller Christmas for their family, but they gave all they had to make it a memorable holiday for those homesick soldiers.

Colley wrote:

Of all of the Christmases I've celebrated and all the gifts I've ever received, which one is, without equal, the most loving, meaningful, instructional and lasting gift? Why it's the one I celebrated with more than one hundred big brothers! These are the six aspects of my best Christmas gift ever: the gift of empathy, the gift of joy, the gift of brotherhood, the gift of sharing, the gift of the possible and the gift of self. This gift has shaped the character of my brother Ken and me for our whole lifetimes.

I am grateful for the incredible example Chad Colley gave us throughout his life. His values ran deep, influencing every facet of his character and informing his remarkable experiences. My staff recently had the honor of interviewing him for the Library of Congress Veterans History Project. He was a man of great kindness and humility who gave credit for all of his accomplishments to his faith and family.

I join Chad Colley's family, friends, and all Arkansians in mourning his passing. Although he accomplished tremendous things personally, like the example set by his parents, I know his legacy will be what he taught us all about kindness, humility, and service.●

#### BICENTENNIAL OF THE GEORGE WASHINGTON UNIVERSITY

● Ms. DUCKWORTH. Madam President, I rise today in celebration of the George Washington University's bicentennial. As a proud alumna of this great institution of higher education, I would like to recognize the GW's achievement in reaching this historic milestone.

Founded as a modest Columbian College 200 years ago, there was no guarantee that the George Washington University would succeed. Ultimately, it was the dedication, ingenuity, and hard work of many generations of world-class faculty, impressive students, and accomplished alumni over the past two centuries that accounts for why GW evolved into the preeminent, global research university it is today.

Aspiring citizen-leaders worldwide attend the George Washington University precisely because of the opportunities GW provides its students to not only learn inside the classroom from leading thinkers and researchers, but to grow by applying this academic

knowledge outside the classroom in a wide-range of settings throughout our Nation's Capital.

In fact, the George Washington University's vast network of world-class academic opportunities, partnerships, and policy-research initiatives is not only responsible for educating our future leaders, but also for advancing technological innovation, driving improvements in public health and policy, and developing a greater understanding of both our world and humanity in ways that have made an impact on millions of lives.

At this moment, GW faculty are conducting pioneering research to fight global poverty, HIV/AIDS, cancer, climate change, terrorism and many other urgent challenges. Many of GW's researchers, doctors, and public health officials have been at the forefront in responding to the deadly Coronavirus disease 2019 pandemic.

As the George Washington University celebrates its bicentennial, it is a good time to reflect on the incredible legacy established by thousands of distinguished GW alumni. Graduates include current and former heads of state from around the world, scores of dedicated public servants, and leading experts that have accumulated a vast record of accomplishments across many academic fields.

Last, but certainly not least, and a point of great personal appreciation for this GW alum, is GW's longstanding commitment to U.S. servicemembers, veterans, and military families. Indeed, the very first recipient of the original Servicemen's Readjustment Act of 1944—more commonly known as the GI Bill of Rights—was Donald Balfour, a GW student. Today, GW is consistently recognized as one of our Nation's best institutions of higher education for veterans and military-affiliated students because it recognizes the invaluable leadership experience and unique perspectives these men and women bring to the classroom.

As GW enters its third century, I look forward to watching as the George Washington University builds on its 200-year legacy of academic excellence and ground-breaking research by attracting, educating, and inspiring future generations of leaders who will make a positive impact on the world.●

#### MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 5. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. BLUNT, Mr. BROWN, Mr. CASSIDY, and Mr. MENENDEZ):

S. 269. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit; to the Committee on Finance.

By Mr. COONS (for himself, Mr. GRAHAM, Mr. WARNER, Mr. SCOTT of South Carolina, Mr. CARPER, Mr. MORAN, and Mr. KAINE):

S. 270. A bill to amend the Act entitled "Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes" to provide for inclusion of additional related sites in the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. MENENDEZ, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. WHITEHOUSE, Ms. HASSAN, Ms. CORTEZ MASTO, Ms. STABENOW, Ms. CANTWELL, Ms. SMITH, Mr. BLUMENTHAL, Mr. MURPHY, Mr. DURBIN, Ms. HIRONO, Mr. LEAHY, Ms. KLOBUCHAR, Mr. BOOKER, Mr. REED, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. DUCKWORTH, and Mr. LUJÁN):

S. 271. A bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable; to the Committee on Finance.

By Mr. PETERS (for himself, Mr. PORTMAN, Mr. CARPER, Mr. CORNYN, and Ms. ERNST):

S. 272. A bill to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself and Mrs. CAPITO):

S. 273. A bill to improve the management of driftnet fishing; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself, Ms. HIRONO, Mrs. SHAHEEN, Mr. BLUMENTHAL, and Ms. SMITH):

S. 274. A bill to amend title XIX of the Social Security Act to allow States to provide coverage under the Medicaid program for vaccines and treatment for COVID-19 for uninsured individuals without the imposition of cost sharing requirements, and for other purposes; to the Committee on Finance.

By Mr. CRUZ (for himself and Mr. PAUL):

S. 275. A bill to allow individuals to choose to opt out of the Medicare part A benefit; to the Committee on Finance.

By Mr. CRUZ (for himself and Mr. PAUL):

S. 276. A bill to amend the Endangered Species Act of 1973 to include a prohibition on the listing of a living nonnative species as a threatened species or an endangered species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRUZ (for himself and Mr. CASSIDY):

S. 277. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNOCK (for himself, Mr. BOOKER, Mr. LUJÁN, Ms. STABENOW, Mr. LEAHY, and Ms. KLOBUCHAR):

S. 278. A bill to require the Secretary of Agriculture to provide assistance for socially disadvantaged farmers and ranchers and socially disadvantaged groups, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY:

S. 279. A bill to require the Federal Communications Commission to update the national broadband plan, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY:

S. 280. A bill to direct the Administrator of the Federal Emergency Management Agency to revise the policy of the Agency to address the threats of climate change, to include considerations of climate change in the strategic plan of the Agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. CARPER, Mr. COONS, Ms. CANTWELL, Mr. CASEY, Mr. BROWN, Ms. WARREN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. DURBIN, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. KING, Ms. ROSEN, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. REED, Mr. BOOKER, Mr. MENENDEZ, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. SANDERS, Ms. SMITH, Mr. CARDIN, Mr. WARNER, Mr. BENNET, Mr. KAINE, Mr. LEAHY, Mrs. GILLIBRAND, Mr. WYDEN, Ms. HIRONO, Mr. HEINRICH, and Mr. PETERS):

S. 281. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BENNET, Ms. CANTWELL, Mr. CARPER, Mr. BLUMENTHAL, Mr. BOOKER, Mr. HEINRICH, Mr. LEAHY, Mrs. MURRAY, Mrs. SHAHEEN, Mr. VAN HOLLEN, Mr. WYDEN, Ms. STABENOW, Ms. WARREN, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. PETERS, Mr. MERKLEY, Mr. CASEY, Ms. ROSEN, Ms. SMITH, Mr. DURBIN, Ms. KLOBUCHAR, Mr. CARDIN, Mr. SANDERS, Ms. BALDWIN, and Ms. HIRONO):

S. 282. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. SCHATZ, and Mr. HEINRICH):

S. 283. A bill to establish a National Climate Bank; to the Committee on Environment and Public Works.

By Mr. REED:

S. 284. A bill to support the provision of library services and technology to meet the needs stemming from the coronavirus; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mr. BRAUN, Mr. WHITEHOUSE, and Mr. BROWN):

S. 285. A bill to amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release; to the Committee on Finance.

By Mr. MARKEY:

S. 286. A bill to conduct or support further comprehensive research for the creation of a universal coronavirus vaccine; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. MERKLEY):

S. 287. A bill to direct the Secretary of Health and Human Services to issue guid-

ance to States to educate providers, managed care entities, and other insurers about the value and process of delivering respectful maternal health care through diverse and multidisciplinary care provider models, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT of South Carolina):

S. 288. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. TILLIS, Ms. COLLINS, and Mr. PETERS):

S. 289. A bill to authorize appropriations for offsetting the costs related to reductions in research productivity resulting from the coronavirus pandemic; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 290. A bill to amend the National Security Act of 1947 to require the President to designate an employee of the National Security Council to be responsible for pandemic prevention and response, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Ms. WARREN, Ms. CORTEZ MASTO, Ms. ROSEN, and Mr. WYDEN):

S. 291. A bill to establish the National Office of New Americans within the Executive Office of the President, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. REED, Mr. KING, and Mr. SCOTT of Florida):

S. 292. A bill to provide family members of an individual who they fear is a danger to himself, herself, or others, or law enforcement, with new tools to prevent gun violence; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Mr. DAINES, Mr. LANKFORD, Mr. THUNE, Mr. BLUNT, Mr. INHOFE, Mr. RUBIO, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. WICKER, Mr. TILLIS, Mr. YOUNG, Ms. ERNST, Mr. PAUL, Mr. COTTON, Mr. RISCH, Mr. HAGERTY, Mr. HAWLEY, Mr. LEE, Mr. MORAN, and Mrs. HYDE-SMITH):

S. 293. A bill to protect the dignity of fetal remains, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself, Mr. INHOFE, Mr. RUBIO, Mr. MARSHALL, Mr. SCOTT of Florida, Mr. ROUNDS, Ms. ERNST, Mr. PAUL, Mr. COTTON, Mr. HAGERTY, Mr. SCOTT of South Carolina, Mr. CRAMER, Mr. MORAN, and Mrs. HYDE-SMITH):

S. 294. A bill to provide for parental notification and intervention in the case of an unemancipated minor seeking an abortion; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. YOUNG, Mr. CARDIN, Mr. MERKLEY, Mr. CORNYN, Ms. WARREN, Mr. DURBIN, Mr. LANKFORD, Mr. WYDEN, Mr. BLUMENTHAL, and Mr. COONS):

S. 295. A bill to designate residents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT of Florida (for himself and Mr. HAWLEY):

S. 296. A bill to limit funding for the World Health Organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEE (for himself and Mr. KING):

S. 297. A bill to make exclusive the authority of the Federal Government to regulate

the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BLACKBURN (for herself and Mr. BRAUN):

S. 298. A bill to require the Government Accountability Office to study the role pharmaceutical benefit managers play in the pharmaceutical supply chain and provide Congress with appropriate policy recommendations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Ms. HIRONO, Ms. KLOBUCHAR, and Mr. KAINE):

S. 299. A bill to amend section 230 of the Communications Act of 1934 to reaffirm civil rights, victims' rights, and consumer protections; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Ms. WARREN, Mrs. GILLIBRAND, Ms. SMITH, Mr. WARNOCK, and Mr. LEAHY):

S. 300. A bill to address the history of discrimination against Black farmers and ranchers, to require reforms within the Department of Agriculture to prevent future discrimination, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCOTT of Florida:

S. 301. A bill to amend the Help America Vote Act of 2002 to provide Federal standards for mail-in ballots and reporting of election results with respect to elections for Federal office; to the Committee on Rules and Administration.

By Mr. SCOTT of Florida:

S. 302. A bill to establish a program to support county and municipal government entities in reducing the spread of COVID-19 through standardized testing and evaluation measures, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Ms. CANTWELL, and Mr. MARKEY):

S. 303. A bill to require the Secretary of Transportation to support the efforts of State and local governments to provide for priority testing of certain transportation workers with respect to the Coronavirus Disease 2019 (COVID-19) and require the owners and operators of equipment and facilities used by passenger or freight transportation employers to clean, disinfect, and sanitize that equipment and provide personal protective equipment to certain employees, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Mr. CRAMER, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, and Ms. SMITH):

S. 304. A bill to provide targeted funding for States and other eligible entities through the Social Services Block Grant program to address the increased burden that maintaining the health and hygiene of infants and toddlers, medically complex children, and low-income adults or adults with disabilities who rely on adult incontinence materials and supplies place on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers and diapering supplies, and for other purposes; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Mr. DURBIN):

S. 305. A bill to establish the Springfield Race Riot National Monument in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VAN HOLLEN (for himself, Mrs. FEINSTEIN, Mr. CARDIN, Mr. SCHUMER, Mr. SCHATZ, Mr. BLUMENTHAL, Mr. MARKEY, Ms. CORTEZ MASTO, Ms. SMITH, Mrs. GILLIBRAND, Mr. DURBIN, Ms. WARREN, Ms. ROSEN, Mr. WARNER, Mr. PADILLA, Mr. SANDERS, Mr. WYDEN, Mr. WHITEHOUSE, Mr. KAINE, Mrs. MURRAY, Mr. BOOKER, Ms. DUCKWORTH, Mr. COONS, and Ms. KLOBUCHAR):

S. 306. A bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself, Mr. BLUNT, Ms. KLOBUCHAR, and Mr. CRAMER):

S. 307. A bill to amend the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to make grants for travel promotion, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEE (for himself, Mr. PAUL, Mr. CRAMER, Mr. BRAUN, Mr. INHOFE, and Mr. LANKFORD):

S.J. Res. 7. A joint resolution disapproving the action of the District of Columbia Council in approving the Minor Consent for Vaccinations Amendment Act of 2020; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SULLIVAN (for himself and Mr. CARDIN):

S. Res. 36. A resolution reaffirming the strategic partnership between the United States and Mongolia and recognizing the 30th anniversary of democracy in Mongolia; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, and Mr. CARDIN):

S. Res. 37. A resolution expressing solidarity with the San Isidro Movement in Cuba, condemning escalated attacks against artistic freedoms in Cuba, and calling for the repeal of laws that violate freedom of expression and the immediate release of arbitrarily detained artists, journalists, and activists; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. Res. 38. A resolution establishing procedures for access to the floor of the Senate and the Senate Wing of the Capitol during impeachment proceedings against Donald John Trump, former President of the United States; considered and agreed to.

By Mr. SCHUMER:

S. Res. 39. A resolution to authorize the installation of appropriate equipment and furniture in the Senate chamber for the impeachment proceedings of Donald John Trump, former President of the United States; considered and agreed to.

By Mr. SCHUMER:

S. Res. 40. A resolution establishing procedures for access to the galleries of the Senate Chamber during impeachment proceedings of Donald John Trump, former President of the United States; considered and agreed to.

By Mr. SCHUMER:

S. Res. 41. A resolution allowing limited laptop computer access on the floor of the Senate during impeachment proceedings of Donald John Trump, former President of the United States; considered and agreed to.

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. Res. 42. A resolution honoring the memories of the victims of the senseless attack at Marjory Stoneman Douglas High School on February 14, 2018; considered and agreed to.

By Mr. MARKEY (for himself, Mr. SCHUMER, Mr. SANDERS, Mr. WYDEN, Ms. WARREN, Mr. MERKLEY, Mr. BOOKER, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. Res. 43. A resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE"); to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. CRUZ, Mr. DURBIN, Mr. SCOTT of Florida, and Mr. CARDIN):

S. Res. 44. A resolution denouncing the Maduro regime's fraudulent legislative elections, the absence of acceptable conditions to ensure free, fair, and transparent electoral processes in Venezuela, and the further erosion of Venezuelan democracy; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. DURBIN,

Ms. HASSAN, Ms. CORTEZ MASTO, Mr. MERKLEY, Mr. WYDEN, Ms. SMITH, Mr. MARKEY, Ms. HIRONO, Mr. BROWN, Mr. VAN HOLLEN, Mr. MENENDEZ, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. COONS, Ms. BALDWIN, Mrs. MURRAY, Mr. WARNER, Mr. KAINE, Mrs. FEINSTEIN, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. SCHATZ, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. KING, Mr. BENNET, Ms. WARREN, Mr. OSSOFF, Mr. HEINRICH, Mr. SANDERS, Mr. CARPER, Mr. CASEY, Mr. REED, Mr. CARDIN, Ms. CANTWELL, Mr. BLUNT, Mr. TILLIS, Mr. CRAPO, Mr. GRASSLEY, Mr. RISCH, Mr. CRAMER, Mr. WICKER, Mr. SULLIVAN, Mr. SHELBY, Mr. RUBIO, Mr. SCOTT of Florida, Mr. PORTMAN, Ms. ERNST, and Mr. BURR):

S. Res. 45. A resolution celebrating Black History Month; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Ms. DUCKWORTH, Mr. MERKLEY, Mr. MARKEY, Mr. VAN HOLLEN, Mr. SCHATZ, Mr. BLUMENTHAL, Mr. BOOKER, Mr. WYDEN, Mr. LUJAN, Mr. MENENDEZ, Mr. SANDERS, and Mr. OSSOFF):

S. Res. 46. A resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 14

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 14, a bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to evaluate foreign persons engaged in grand corruption for inclusion as specially designated nationals under the Global Magnitsky Human Rights Accountability Act.

S. 24

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Ms.

CORTEZ MASTO) was added as a cosponsor of S. 24, a bill to protect the personal health data of all Americans.

S. 35

At the request of Mr. VAN HOLLEN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 35, a bill to award a Congressional Gold Medal to Officer Eugene Goodman.

S. 85

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 85, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the deduction for certain taxes, including State and local property and income taxes.

S. 93

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 93, a bill to amend the Global Magnitsky Human Rights Accountability Act to modify the foreign persons subject to sanctions and to remove the sunset for the imposition of sanctions, and for other purposes.

S. 124

At the request of Mr. LEE, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 124, a bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses.

S. 125

At the request of Mr. LEE, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 125, a bill to amend the Internal Revenue Code of 1986 to prohibit treatment of certain distributions and reimbursements for certain abortions as qualified medical expenses.

S. 145

At the request of Mr. DAINES, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 145, a bill to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

S. 158

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 158, a bill to promote international efforts in combating corruption, kleptocracy, and illicit finance by foreign officials and other foreign persons, including through a new anti-corruption action fund, and for other purposes.

S. 171

At the request of Mr. DAINES, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 171, a bill to authorize the Keystone XL Pipeline.

S. 206

At the request of Mr. LEE, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 206, a bill to amend titles XIX and XXI of the Social Security Act to require hospitals and certain other participating providers under Medicaid or the Children's Health Insurance Program to disclose the provider's policy on parental consent for the provision, withdrawal, or denial of life-sustaining treatment for minors, and for other purposes.

S. 207

At the request of Mr. LEE, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 207, a bill to amend titles XIX and XXI of the Social Security Act to require hospitals and certain other participating providers under Medicaid or the Children's Health Insurance Program to disclose the provider's policy on parental access to the medical records of minors, and for other purposes.

S. 239

At the request of Mr. RISCH, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 239, a bill to permanently enact certain appropriations Act restrictions on the use of funds for abortions and involuntary sterilizations, and for other purposes.

S. 247

At the request of Mr. LEE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 247, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 255

At the request of Mr. WICKER, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 255, a bill to establish a \$120,000,000,000 Restaurant Revitalization Fund to provide structured relief to food service or drinking establishments, and for other purposes.

S. 259

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 259, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 262

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 262, a bill to allow tax credits to State and local governments for paid sick leave and paid family and medical leave.

S. 263

At the request of Mr. DURBIN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 263, a bill to preserve health benefits for workers.

S. RES. 35

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 35, a resolution condemning the military coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained and for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mrs. FEINSTEIN (for herself and Mrs. CAPITO):

S. 273. A bill to improve the management of driftnet fishing; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the "Driftnet Modernization and Bycatch Reduction Act." I thank Senator CAPITO for her cosponsorship as well as continued partnership on this important legislation.

This bipartisan bill passed the Senate last Congress by unanimous consent and then passed the House of Representatives in December 2020. Unfortunately, then President Trump chose to veto the bill based on misguided policy and inaccurate data.

I urge my colleagues to once again support this bill, which solely affects California fishery management, but has far-reaching beneficial impacts for a wide range of marine animals, including endangered species. This legislation modernizes a commercial fishery to promote sustainable fishery management and creates a win-win for conservation goals and commercial fishing profitability.

### THE ISSUE

Large mesh drift gillnets, as defined in this legislation, have a mesh hole size of 14 inches or greater and are used to target swordfish and thresher shark off the California coast. However, alarmingly, these nets utilized by this one fishery in Federal waters, according to NOAA, are responsible for 90% of porpoise and dolphin deaths in all west coast fisheries combined.

These substantially sized nets are between 1 and 1.5 miles long and extend more than 100 feet below the ocean's surface. This creates a "net wall" that ensnares approximately 60 non-target species, known as bycatch, leading to severe harm or drowning of endangered marine turtles, whales, dolphin, and numerous fish species.

In addition to being banned everywhere else in the United States and in



some international waters, these specific nets were also banned in California's state waters in 2018. This bill would bring much needed parity to state and federal laws on the west coast.

After the State ban, a large majority of the remaining commercial fishery using drift gillnet gear voluntarily turned in their permits to the State and received compensation to transition to alternative, sustainable gear, such as deep set buoy gear.

This bill is critically needed to complete the transition of the fishery and provide Federal partnership to the successful State program. The Federal waters off the California coast are the last place in the United States where these dangerous nets are still used.

#### HOW OUR BILL WOULD HELP

This bill is identical to the legislation that passed in the 116th Congress. It provides a common-sense solution by phasing out drift gillnets over a five-year period from enactment in favor of more sustainable alternatives, such as deep-set buoy gear. This sustainable gear has already been proven to yield higher market prices for fishermen and considerably reduces the amount of bycatch.

In fact, 2020 landings data from the PacFIN database for swordfish shows that drift gillnet gear caught only 19.8 metric tons of swordfish at an average of \$3.62 per pound yielding a total of \$157,728. In the same fishing season, deep set buoy gear caught 79.4 metric tons of swordfish at an average of \$5.88 per pound for a total value of \$1,028,932. Important to note, deep set buoy gear also had an extremely low bycatch rate—less than 2 percent—illustrating how this fishery can be both more sustainable and profitable.

The transition program includes a grant authorization for Federal funding to match State funds for local fishermen to exchange their current permits and purchase new, sustainable gear.

This bill has broad support at the State and Federal level, as well as national groups such as American Sportfishing Association and Oceana.

In addition, this bill includes a provision important to the Pacific halibut fishery in Alaska that I have worked with Senator SULLIVAN and the Commerce Committee to include.

The provision would enable the Secretary of Commerce to approve certain charter vessel operators who guide recreational anglers and harvest Pacific halibut in certain federal waters to collect fees that would fund the Recreational Quota Entity Program for the purposes of halibut conservation and research.

I look forward to working with my colleagues to once again pass the "Driftnet Modernization and Bycatch Reduction Act", and I urge them to support the swift passage of this bipartisan bill.

Thank you once again to Senator CAPITO and to Commerce Committee

leadership, Senator CANTWELL and Senator WICKER for their assistance on this important legislation.

Thank you, Mr. President. I yield the Floor.

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT of South Carolina):

S. 288. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to introduce the Timely Reauthorization of Necessary Stem Cell Programs Lends Access to Needed Therapies (TRANSPLANT) Act of 2021 with Senators RICHARD BURR, TINA SMITH, and TIM SCOTT. This bill offers promise to the tens of thousands of individuals diagnosed with leukemia and lymphomas, sickle cell anemia, and rare genetic blood disorders.

Our bipartisan legislation renews the C. W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory (NCBI), the only programs in the Country that maintain donor registries for individuals in need of a bone marrow and umbilical cord blood transplantation. Over twenty-two million Americans are registered bone marrow donors resulting in nearly 6,500 transplants just last year. In the years since NCBI was established, more than 300,000 cord blood units have been collected, facilitating more than 100,000 blood stem cell transplants. The TRANSPLANT Act would reaffirm the commitment to these life-saving programs, which have been helping to connect individuals in need of bone marrow or umbilical cord blood transplants with donors for more than two decades.

The public registries, made up of donors from all over the country, have been a true lifeline for the Americans who have found an unrelated match. By strengthening and enhancing the important programs operating these registries, many more Americans will be afforded the opportunity to find a match if they are ever in need. I look forward to swift consideration of this legislation in the Senate Health, Education, Labor, and Pensions Committee and working toward passage in the full Senate.

By Mr. WARNER (for himself, Ms. HIRONO, Ms. KLOBUCHAR, and Mr. KAINE):

S. 299. A bill to amend section 230 of the Communications Act of 1934 to reaffirm civil rights, victims' rights, and consumer protections; to the Committee on Commerce, Science, and Transportation.

Ms. HIRONO. Mr. President, I rise today to introduce the Safeguarding Against Fraud, Exploitation, Threats, Extremism and Consumer Harms Act, also known as the SAFE TECH Act. I thank my colleagues, Senator WARNER and Senator KLOBUCHAR, for working with me on this important piece of leg-

islation, which fulfills the promise of Section 230 of the Communications Decency Act by forcing internet companies to finally address the serious harms their platforms cause—harms like civil rights and human rights violations, stalking and harassment, and wrongful death.

Section 230—often called the law that created the internet—was passed in 1996. For some context, in 1996, Google was two years from being founded. Mark Zuckerberg was in middle school. And, the internet effectively shut down for nineteen hours when a technical glitch took American Online offline.

The law was passed with a noble goal in mind: to encourage operators of then-nascent internet message boards to act as "Good Samaritans" and voluntarily police illegal and harmful content posted by third parties. Section 230 accomplished this goal by declaring that "[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." These twenty-six words have effectively shielded internet platforms from liability for any harm caused by content posted by third parties for the past twenty-five years.

Unfortunately, whatever incentive Section 230 was meant to provide to encourage internet platforms to police content has proven to be no incentive at all. The statute's broad immunity applies whether a platform carefully reviews each piece of content posted by a user or performs no content moderation whatsoever. It immunizes platforms that have actual knowledge illegal content has been posted. It even applies if the platform itself encouraged the user to post the content. The result has been internet platforms large and small turning a blind eye to the real-world harms they cause.

Let me tell you about a few of those real-world harms.

Over the course of five months in late 2016 and early 2017, Matthew Herrick was harassed and physically assaulted by men directed to his home and office by the gay dating app Grindr. These men—over 1,100 in total—were responding to a fake profile created by Mr. Herrick's ex-boyfriend. Grindr was on notice of both the fake profile and its harmful effects. Mr. Herrick and his friends filed approximately fifty reports with the company reporting the problem and seeking help. But the company did nothing while Mr. Herrick suffered.

On October 21, 2012, Radcliffe Haughton walked into a Wisconsin spa and shot and killed three women, including his estranged wife, and wounded four others before turning the gun on himself. He had purchased the gun the prior day from a private seller he found on the online gun marketplace Armslist.com. He was able to purchase the gun even though his wife had recently obtained a domestic abuse restraining order that specifically prohibited Mr. Haughton from purchasing



a gun. For all intents and purposes, Armslist was designed to facilitate such illegal sales. It precluded users from flagging illegal sales; it allowed people to anonymously purchase guns without a background check; and it enabled prohibited purchasers to search only for sellers that did not check criminal backgrounds or keep records. Mr. Haughton took advantage of these features and, as a result, three people are dead.

On August 25, 2020, 17-year-old Kyle Rittenhouse shot and killed two people and injured a third on the streets of Kenosha, Wisconsin during a protest of the police shooting of Jacob Blake. Mr. Rittenhouse was one of many armed, right-wing counter-protesters encouraged to travel to Kenosha by a Facebook page run by a group called “Kenosha Guard” that asked if any followers would be willing to “take up arms and defend [the city] from the evil thugs.” Despite being flagged to Facebook at least 455 times as a call to violence, the company left the page up.

In none of these cases did Grindr, Armslist, and Facebook act like “Good Samaritans.” They did not voluntarily police the content on their platforms. Instead, they either actively encouraged or turned a blind eye to dangerous and illegal content knowing full well Section 230 immunized them for any harm their platforms caused. Any attempt by victims to hold the platforms accountable for their roles would be blocked by Section 230.

Under the SAFE TECH Act, this would no longer be the case. This bill would ensure that internet companies either address the serious problems they are causing or face potential liability. It does so by creating targeted exceptions to Section 230’s broad immunity, including exceptions for advertisements and other paid content; claims for injunctive relief; civil rights, stalking, and harassment laws; wrongful death actions; and suits under the Alien Tort Claims Act.

Introducing these exceptions to Section 230 does not guarantee that platforms will be held liable in all—or even most—cases where they cause real-world harm. But it will give victims the opportunity to make their case. By doing so, the SAFE TECH Act will punish those bad actors who are actively encouraging or turning a blind eye to dangerous and illegal content, while allowing true “Good Samaritans” to flourish online. That was the promise of Section 230. After twenty-five years, it’s about time we realize that promise.

I therefore encourage my colleagues to support the SAFE TECH Act.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 36—RE-AFFIRMING THE STRATEGIC PARTNERSHIP BETWEEN THE UNITED STATES AND MONGOLIA AND RECOGNIZING THE 30TH ANNIVERSARY OF DEMOCRACY IN MONGOLIA

Mr. SULLIVAN (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 36

Whereas the United States and Mongolia established diplomatic relations in January 1987, and since that time the relationship has grown stronger based on shared strategic interests, security cooperation, democratic values, good governance, and respect for human rights;

Whereas, since its peaceful democratic revolution in 1989, through a series of initiatives, Mongolia has charted a successful path to multiparty democracy and a free market economy;

Whereas, in 1990, the Government of Mongolia declared an end to a one-party and authoritarian political system and adopted democratic and free market reforms;

Whereas, in 1992, Mongolia adopted a constitution establishing a democracy, becoming the first country in Asia to transition from communism to democracy;

Whereas Mongolia has shown its commitment to a “third neighbor” relationship with the United States by sending troops to support United States operations in Iraq from 2003 through 2008 and Afghanistan since 2009, and Mongolia has a strong record of troop contributions to international peacekeeping missions;

Whereas successive Mongolian governments have taken notable steps to strengthen civil society, battle corruption, and spur economic development;

Whereas the Parliament of Mongolia, the State Great Khural, has engaged with Congress, including through the House Democracy Partnership, thereby promoting responsive and effective governance through peer-to-peer cooperation;

Whereas Mongolia began as a partner to the Organization for Security and Co-operation in Europe (OSCE) in 2004, graduated to become a participating state in 2012, and participates actively in the work of the OSCE for stability, peace, and democracy;

Whereas Mongolia has regularly invited the OSCE and other organizations to send monitoring teams for its presidential and parliamentary elections;

Whereas Mongolia has also been an active member of the Community of Democracies (CoD), a global coalition of states that support adherence to common democratic values and standards, and Mongolia has not only remained active since the founding of the CoD in 2000, but successfully chaired the CoD from 2011 through 2013;

Whereas, in addition to supporting the OSCE and the CoD, Mongolia supports democratic initiatives while participating in a wide range of other global institutions;

Whereas, most recently, on June 24, 2020, Mongolia successfully organized parliamentary elections, strengthening its commitment to democracy and the rule of law;

Whereas the success of Mongolia as a democracy and its strategic location, sovereignty, territorial integrity, and ability to pursue an independent foreign policy are important to the national security of the United States;

Whereas the United States has provided support to Mongolia through the Millennium Challenge Corporation through an initial compact signed in 2007 designed to increase economic growth and reduce poverty and a second compact signed in 2018 involving investments in water infrastructure, including supply and wastewater recycling, as well as water sector sustainability;

Whereas, on September 20, 2018, the United States and Mongolia released a joint statement and the “Roadmap for Expanded Economic Partnership between the United States and Mongolia,” outlining the intent to deepen the bilateral commercial relationship, including through full implementation of the obligations under the Agreement on Transparency in Matters Related to International Trade and Investment between the United States of America and Mongolia, signed at New York September 24, 2013 (in this preamble referred to as the “United States-Mongolia Transparency Agreement”), and collaboration in supporting Mongolian small- and medium-sized enterprises through various programs and projects;

Whereas, according to the Bureau of the Census, trade between the United States and Mongolia is modest but growing, with total trade in 2019 between the two countries of approximately \$217,400,000, including \$192,800,000 in United States exports to Mongolia and \$24,600,000 in United States imports from Mongolia;

Whereas Mongolia is a beneficiary country under the Generalized System of Preferences program, but its use of the program remains low, as, in 2018, only \$3,200,000 of exports from Mongolia to the United States were under the program; and

Whereas, on July 31, 2019, the United States and Mongolia declared the bilateral relationship a Strategic Partnership and noted the shared desire—

(1) to intensify cooperation as strong democracies based on the rule of law through safeguarding and promoting democratic values and human rights, including the freedoms of religion or belief, expression, including internet and media freedom, assembly, and association, anticorruption and fiscal transparency, and youth and emerging leader development;

(2) to cooperate in promoting national security and stability across the Indo-Pacific region so that all countries, secure in their sovereignty, are able to pursue economic growth consistent with international law and principles of fair competition;

(3) to deepen national security and law-enforcement ties through collaboration on bilateral and multilateral security, judicial, and law-enforcement efforts in the region;

(4) to strengthen cooperation in multilateral engagements such as peacekeeping, humanitarian assistance, and disaster preparedness and relief operations;

(5) to expand trade and investment relations on a fair and reciprocal basis, support private sector-led growth, fully implement the United States-Mongolia Transparency Agreement, promote women’s entrepreneurship, and continue to explore support for infrastructure under the new United States International Development Finance Corporation with the new tools provided under the BUILD Act of 2018 (22 U.S.C. 9601 et seq.);

(6) to strengthen border security, prevent illegal transshipment and trafficking, expand cooperation on civil aviation safety and oversight, and efficiently facilitate legitimate travel between Mongolia and the United States;

(7) to increase cooperation in addressing transnational threats such as terrorism, human trafficking, drug trafficking, the proliferation of weapons of mass destruction, cyberattacks, transnational organized crime,

pandemics, and other emerging nontraditional security threats;

(8) to continue to develop an environment in which civil society, social media, and a free and independent media can flourish; and

(9) to maintain high-level official dialogues, encourage bilateral exchanges at all levels of government, and further develop people-to-people exchanges to deepen engagement on issues of mutual interest and concern: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the importance of the relationship between the United States and Mongolia and remains committed to advancing this Strategic Partnership in the future;

(2) emphasizes the importance of free and fair elections in Mongolia;

(3) applauds the continued engagement of Mongolia in the Organization for Security and Co-operation in Europe, the Community of Democracies, congressional-parliamentary partnerships, including continued high-level parliamentary exchange, and other institutions that promote democratic values, which reinforces the commitment of the people and the Government of Mongolia to those values and standards;

(4) encourages the United States Government to help Mongolia use its benefits under the Generalized System of Preferences program and other relevant programs to increase trade between the United States and Mongolia;

(5) urges the United States International Development Finance Corporation to expand activities in Mongolia to support economic development, diversification of the economy of Mongolia, and women-owned small- and medium-sized enterprises;

(6) urges private and public support to help diversify the economy of Mongolia through increased cooperation and investments, as well as infrastructure and other vital projects;

(7) urges the Department of State, the United States Agency for International Development, and other relevant agencies to continue to support Mongolia's democratic and economic development and efforts on anticorruption;

(8) reaffirms the importance of civil society to the continued democratic development of Mongolia;

(9) encourages the Government of Mongolia to build a regulatory system that supports and encourages the growth and operation of independent nongovernmental organizations and continues to pursue policies of transparency that uphold democratic values; and

(10) encourages the Government of Mongolia to continue legal reform, institutional capacity building, and to improve the independence of other democratic institutions.

**SENATE RESOLUTION 37—EXPRESSING SOLIDARITY WITH THE SAN ISIDRO MOVEMENT IN CUBA, CONDEMNING ESCALATED ATTACKS AGAINST ARTISTIC FREEDOMS IN CUBA, AND CALLING FOR THE REPEAL OF LAWS THAT VIOLATE FREEDOM OF EXPRESSION AND THE IMMEDIATE RELEASE OF ARBITRARILY DETAINED ARTISTS, JOURNALISTS, AND ACTIVISTS**

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 37

Whereas artists, journalists, and activists in Cuba have faced increased censorship, per-

secution, and arbitrary detention by the Government of Cuba as a result of Decrees 349 and 370, which seek to restrict artistic freedoms and silence independent media in Cuba;

Whereas, in December 2018, Decree 349 entered into force, requiring that artists and those who hire them receive prior approval from the Government of Cuba to operate in public or private spaces or otherwise be subject to confiscation of materials, fines, or sanctions without the right to an appeal;

Whereas, in July 2019, Decree 370 entered into force, regulating and imposing sanctions with respect to the free distribution of information through the internet and leading to increased repression, arbitrary detentions, and censorship by the Government of Cuba;

Whereas international human rights groups, including Human Rights Watch, Amnesty International, the United Nations Office of the High Commissioner for Human Rights, and the Inter-American Commission on Human Rights, have condemned Decrees 349 and 370 as violating fundamental freedoms and contradicting Article 54 of the 2019 Constitution of Cuba, which guarantees freedom of expression;

Whereas, in 2018, the San Isidro Movement (MSI), an organization of artists, activists, academics, and journalists, began to peacefully protest increased censorship and persecution in Cuba;

Whereas Denis Solís González, a musician and member of the San Isidro Movement, was detained on November 9, 2020, and sentenced to 8 months in prison on “contempt of authority” charges after sharing a live video online of a police officer entering his home without a warrant;

Whereas, on November 19, 2020, artists and activists from the San Isidro Movement launched a day of poetry and gathered at a private residence to discuss actions to protest the arbitrary detention of Denis Solís González, and during that peaceful activity, state police blocked access to the house, confiscating all food and humanitarian supplies;

Whereas, in response to the events of November 19, 2020, 17 independent artists and activists went on a 7-day hunger strike at the private residence, during which state authorities allegedly contaminated water sources in order to sicken the artists and activists;

Whereas, on November 26, 2020, state security agents forcibly entered the protest site to remove the 17 artists and activists, blocking internet connectivity and communications throughout Cuba during the raid;

Whereas, on November 27, 2020, approximately 300 people gathered outside the Ministry of Culture of Cuba to peacefully protest the lack of artistic freedom in Cuba and the arbitrary arrest of Denis Solís González and other artists and activists in an unprecedented demonstration against the Government of Cuba, and, despite the use of tear gas by state security forces, the protesters were undeterred;

Whereas, as a result of the protest on November 27, 2020, Cuban officials met with 30 artists and activists, including 5 leaders of the San Isidro Movement, and agreed to stop harassment of Cuban artists and initiate a dialogue between the San Isidro Movement, other activists, and the government;

Whereas, despite that commitment by Cuban officials, the Government of Cuba subsequently escalated its attacks against the artists and activists who participated in the meeting, including by surrounding and blocking access to their homes;

Whereas the Cuban regime used state-controlled media to label the acts of peaceful protest by the San Isidro Movement as treason, which, according to Article 4 of the 2019

Constitution of Cuba, is a crime subject to imprisonment and penalty of death;

Whereas, on December 4, 2020, the Government of Cuba unilaterally ended the dialogue process with Cuban artists and independent civil society and political activists;

Whereas, on January 27, 2021, officials of the Ministry of Culture, led by Minister Alpidio Alonso and Vice Ministers Fernando Rojas and Fernando León Jacomino, physically assaulted a group of 20 to 30 artists who had gathered outside the Ministry of Culture to restart a dialogue process with authorities and demand an end to the repression of the artistic community;

Whereas, following the assault on the group by Minister Alonso and Vice Ministers Rojas and Jacomino, Cuban state security forces violently detained protesters; and

Whereas, despite the suspension of the dialogue process by the Government of Cuba, artists, activists, and independent journalists continue to bravely advocate for fundamental freedoms and denounce human rights violations in Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) stands in solidarity with the members of the San Isidro Movement and their efforts to advance freedom of expression in Cuba;

(2) calls on Cuban authorities to engage in a meaningful dialogue process with the members of the San Isidro Movement and other artists and activists seeking to advance freedom of expression in Cuba;

(3) calls on the Government of Cuba to immediately release Denis Solís González and other arbitrarily imprisoned artists and journalists;

(4) urges the officials of the Ministry of Culture of Cuba to refrain from physical violence and any other acts of repression against Cuban artists and journalists;

(5) calls for the immediate repeal of Decrees 349 and 370 and other laws in Cuba that violate freedom of expression;

(6) urges democratic governments and legislatures in Europe and Latin America to renew their support for democratic activists in Cuba and speak out against the repression of artists and journalists in Cuba; and

(7) encourages the Secretary of State to condemn the persecution, threats, and intimidation of Cuban artists and journalists.

**SENATE RESOLUTION 38—ESTABLISHING PROCEDURES FOR ACCESS TO THE FLOOR OF THE SENATE AND THE SENATE WING OF THE CAPITOL DURING IMPEACHMENT PROCEEDINGS AGAINST DONALD JOHN TRUMP, FORMER PRESIDENT OF THE UNITED STATES**

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 38

*Resolved*,

**SECTION 1. SENATE FLOOR ACCESS.**

During impeachment proceedings against Donald John Trump, former President of the United States, the following procedures relating to access to the Senate floor shall apply:

(1) IN GENERAL.—

(A) ENTRANCE THROUGH CLOAKROOMS.—Individuals with privileges under rule XXIII of the Standing Rules of the Senate (as limited by paragraph (2) of this section), or with privileges under paragraph (3) of this section, shall access the floor of the Senate through the cloakrooms only, unless otherwise directed by the Sergeant at Arms and Doorkeeper of the Senate.

(B) **GENERAL LIMITS ON ACCESS.**—Access to the floor of the Senate shall be limited to the number of vacant seats available on the floor of the Senate based on protocol considerations enforced by the Secretary for the Majority, the Secretary for the Minority, and the Sergeant at Arms and Doorkeeper of the Senate.

(C) **SEATING REQUIREMENTS.**—All individuals with access to the floor of the Senate shall remain seated at all times.

(2) **LIMITED STAFF ACCESS.**—Officers and employees of the Senate, including members of the staffs of committees of the Senate or joint committees of the Congress and employees in the office of a Senator, shall not have privileges under rule XXIII of the Standing Rules of the Senate to access the floor of the Senate, except as needed for official impeachment proceeding duties in accordance with the following:

(A) The Majority Leader and the Minority Leader shall each be limited to not more than 4 assistants.

(B) The Secretary of the Senate and the Assistant Secretary of the Senate shall each have access, and the legislative staff of the Secretary of the Senate shall be permitted as needed under the supervision of the Secretary of the Senate.

(C) The Sergeant at Arms and Doorkeeper of the Senate and the Deputy Sergeant at Arms and Doorkeeper shall each have access, and doorkeepers shall be permitted as needed under the supervision of the Sergeant at Arms and Doorkeeper of the Senate.

(D) The Secretary for the Majority (or a replacement designated by such Secretary), the Secretary for the Minority (or a replacement designated by such Secretary), the Assistant Secretary for the Majority, and the Assistant Secretary for the Minority shall each have access, and cloakroom employees shall be permitted as needed under the supervision of the Secretary for the Majority or the Secretary for the Minority, as appropriate.

(E) The Senate Legal Counsel and the Deputy Senate Legal Counsel shall have access on an as-needed basis.

(F) The Parliamentarian of the Senate and assistants to the Parliamentarian of the Senate shall have access on an as-needed basis.

(G) Counsel for the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate shall have access on an as-needed basis.

(H) The minimum number of chamber assistants necessary to carry out their duties, as determined by the Sergeant at Arms and Doorkeeper of the Senate and under the supervision of the Secretary for the Majority or the Secretary for the Minority, as appropriate, shall have access.

(3) **OTHER INDIVIDUALS WITH SENATE FLOOR ACCESS.**—The following individuals shall have privileges of access to the floor of the Senate:

(A) Not more than 1 assistant to the President pro tempore.

(B) Assistants to the managers of the impeachment of the House of Representatives.

(C) Counsel and assistants to counsel for Donald John Trump, former President of the United States.

## **SEC. 2. ACCESS TO THE SECOND FLOOR OF THE SENATE WING OF THE CAPITOL.**

(a) **IN GENERAL.**—During impeachment proceedings against Donald John Trump, former President of the United States, access to the second floor of the Senate Wing of the Capitol shall be limited to—

(1) Senators;

(2) officers and employees of the Senate with appropriate Senate-issued identification cards and appropriate credentials;

(3) employees of the Architect of the Capitol (as necessary and in accordance with subsection (b));

(4) individuals with privileges under rule XXIII of the Standing Rules of the Senate (as limited by section 1(2)) or with privileges under section 1(3);

(5) individuals with official business related to the impeachment proceedings; and

(6) members of the press with appropriate credentials.

(b) **ARCHITECT OF THE CAPITOL.**—The Architect of the Capitol shall advise the Sergeant at Arms and Doorkeeper of the Senate of all officers or employees of the Architect of the Capitol who require access to the Senate Wing of the Capitol during the impeachment proceedings.

## **SEC. 3. ENFORCEMENT BY THE SERGEANT AT ARMS AND DOORKEEPER.**

The Sergeant at Arms and Doorkeeper of the Senate shall enforce this resolution and take such other actions as necessary to fulfill the responsibilities of the Sergeant at Arms and Doorkeeper of the Senate under this resolution, including the issuance of appropriate credentials as required under paragraphs (2) and (6) of section 2(a).

## **SENATE RESOLUTION 39—TO AUTHORIZE THE INSTALLATION OF APPROPRIATE EQUIPMENT AND FURNITURE IN THE SENATE CHAMBER FOR THE IMPEACHMENT PROCEEDINGS OF DONALD JOHN TRUMP, FORMER PRESIDENT OF THE UNITED STATES**

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 39

*Resolved,*

### **SECTION 1. AUTHORIZATION FOR EQUIPMENT AND FURNITURE.**

(a) **IN GENERAL.**—In recognition of the unique requirements raised by the impeachment proceedings against Donald John Trump, former President of the United States, the Sergeant at Arms and Doorkeeper of the Senate shall install appropriate equipment and furniture in the Senate chamber for use by the managers from the House of Representatives and counsel for the former President in their presentations to the Senate during all times that the Senate is sitting for trial with the President pro tempore presiding.

(b) **SCOPE.**—The appropriate equipment and furniture referred to in subsection (a) is as follows:

(1) A lectern, a witness table and chair if required, and tables and chairs to accommodate an equal number of managers from the House of Representatives and counsel for the former President, which shall be placed in the well of the Senate.

(2) Such equipment as may be required to permit the display of video or audio evidence, including video monitors and microphones, which may be placed in the chamber for use by the managers from the House of Representatives or counsel for the former President.

(c) **MANNER.**—All equipment and furniture authorized by this resolution shall be placed in the chamber in a manner that provides the least practicable disruption to Senate proceedings.

## **SENATE RESOLUTION 40—ESTABLISHING PROCEDURES FOR ACCESS TO THE GALLERIES OF THE SENATE CHAMBER DURING IMPEACHMENT PROCEEDINGS OF DONALD JOHN TRUMP, FORMER PRESIDENT OF THE UNITED STATES**

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 40

*Resolved,*

### **SECTION 1. ACCESS TO GALLERIES OF THE SENATE CHAMBER.**

During the impeachment proceedings against Donald John Trump, former President of the United States, the following procedures relating to access to the galleries of the Senate Chamber shall apply:

(1) **PRESS GALLERIES.**—The press galleries of the Senate Chamber shall remain open and available for members of the press under established procedures.

(2) **OTHER GALLERIES.**—Access to all galleries of the Senate Chamber not described in paragraph (1) shall be available only to Senators and Members of the House of Representatives.

### **SEC. 2. ENFORCEMENT BY THE SERGEANT AT ARMS.**

The Sergeant at Arms and Doorkeeper of the Senate shall enforce this resolution and take such other actions as necessary to fulfill the responsibilities of the Sergeant at Arms and Doorkeeper of the Senate under this resolution.

## **SENATE RESOLUTION 41—ALLOWING LIMITED LAPTOP COMPUTER ACCESS ON THE FLOOR OF THE SENATE DURING IMPEACHMENT PROCEEDINGS OF DONALD JOHN TRUMP, FORMER PRESIDENT OF THE UNITED STATES**

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 41

*Resolved,*

### **SECTION 1. LAPTOP COMPUTER ACCESS.**

(a) **IN GENERAL.**—During impeachment proceedings against Donald John Trump, former President of the United States, laptop computers may be used on the floor of the Senate Chamber only in accordance with the following:

(1) Two laptop computers may be used by the impeachment managers and their assistants.

(2) Two laptop computers may be used by the counsel for the former President of the United States and their assistants.

(3) One laptop computer may be used by the President pro tempore and the assistants of the President pro tempore.

(4) Laptop computers available to employees and officers of the Senate on the floor of the Senate Chamber during a regular session of the Senate may be used by such employees and officers as necessary.

(b) **USE OF LAPTOP COMPUTERS IN OTHER ROOMS OF THE SENATE FLOOR.**—During impeachment proceedings against Donald John Trump, former President of the United States, laptop computers may be used in other areas of the floor of the Senate (not including the Senate Chamber) by individuals described in paragraphs (1) through (4) of subsection (a) and, as determined necessary, other employees and officers of the Senate.

(c) **ENFORCEMENT BY THE SERGEANT AT ARMS AND DOORKEEPER.**—The Sergeant at

Arms and Doorkeeper of the Senate shall take such actions as are necessary to enforce this resolution.

**SENATE RESOLUTION 42—HONORING THE MEMORIES OF THE VICTIMS OF THE SENSELESS ATTACK AT MARJORY STONEMAN DOUGLAS HIGH SCHOOL ON FEBRUARY 14, 2018**

Mr. SCOTT of Florida (for himself and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

**S. RES. 42**

Whereas, on February 14, 2018, a mass shooting that took the lives of 17 teachers and students took place at Marjory Stoneman Douglas High School in Parkland, Florida;

Whereas the people of the United States continue to pray for the individuals who were affected by this tragedy;

Whereas the Parkland community has shown strength, compassion, and unity in the past 3 years; and

Whereas February 14, 2021, marks 3 years since the horrific attack: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the memories of the victims of the senseless attack at Marjory Stoneman Douglas High School on February 14, 2018, and offers heartfelt condolences and deepest sympathies to the families, loved ones, and friends of the victims;

(2) honors the survivors of the attack and pledges continued support for their recovery;

(3) recognizes the strength and resilience of the Marjory Stoneman Douglas High School community; and

(4) expresses gratitude to the emergency medical and health care professionals of the Parkland community for their efforts in responding to the attack and caring for the victims and survivors.

**SENATE RESOLUTION 43—RECOGNIZING THE DUTY OF THE FEDERAL GOVERNMENT TO IMPLEMENT AN AGENDA TO TRANSFORM, HEAL, AND RENEW BY INVESTING IN A VIBRANT ECONOMY (“THRIVE”)**

Mr. MARKEY (for himself, Mr. SCHUMER, Mr. SANDERS, Mr. WYDEN, Ms. WARREN, Mr. MERKLEY, Mr. BOOKER, Mr. BLUMENTHAL, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

**S. RES. 43**

Whereas families and communities throughout the United States share similar hopes and dreams of a good life that is free from worry about meeting basic needs, with reliable and fulfilling work, a dignified and healthy standard of living, and the ability to enjoy time with loved ones;

Whereas the United States faces the stress of multiple, overlapping crises—old and new—that prevent the achievement of these fundamental human rights and needs, in which the COVID-19 pandemic has killed over 450,000 United States residents; more than 10,000,000 United States workers remain unemployed; rising economic inequality has made working families vulnerable; tens of millions of individuals do not get the health care they need; and intensifying climate

change increases the threats to our health, economy, and livelihoods;

Whereas these health, economic, and climate crises have magnified centuries-old injustices, causing high rates of death and hardship among Black, Brown, and Indigenous communities due to long-standing systemic racism—a fact spotlighted by an emerging, multiracial movement to end violence against Black people;

Whereas these crises are causing the inequitable workloads of women—particularly women of color—to grow, especially as women of color overwhelmingly make up the essential workforce, bearing the weight of the increased care needs of children, the elderly, and the sick;

Whereas, even before the COVID-19 crisis, many rural communities and independent family farmers suffered from poverty, declining economic opportunity, and alarming rates of farm bankruptcy, including loss of land from Black farmers and the exploitation of Black, Brown, and Indigenous farmers caused by predatory and racist public, private, and governmental institutions and policies;

Whereas the root of our interlocking economic and environmental crises is society's historical willingness to treat some communities and workers as disposable;

Whereas it is necessary to counteract systemic injustice and value the dignity of all individuals in order to address unemployment, pandemics, or climate change and ensure the survival of the Nation and the planet;

Whereas the choices made in response to these crises will shape the United States' direction for the 21st century and beyond, offering an opportunity to reshape our society to provide a good life for each of us and for our children and grandchildren; and

Whereas the United States has the means to support fulfilling livelihoods for millions of people—Black, Indigenous, Brown, Latinx, Asian/Pacific Islander, White, immigrant, urban and rural, old and young, of many faiths, genders, abilities, and talents—while working to heal harms, protect communities, and invest in a future that fosters justice, not crisis: Now therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) it is the duty of the Federal Government to respond to the crises of racial injustice, mass unemployment, a pandemic, and climate change with a bold and holistic national mobilization, an Agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”) (referred to in this resolving clause as the “Agenda”), to build a society that enables—

(A) greater racial, economic, and gender justice;

(B) dignified work;

(C) healthy communities; and

(D) a stable climate; and

(2) such Agenda shall be assessed upon its ability to uphold its foundational pillars, including—

(A) creating millions of good, safe jobs with access to unions by—

(i) investing in projects including—

(I) upgrading our broken infrastructure to expand access to clean and affordable energy, transportation, high-speed broadband, and water, particularly for public systems;

(II) modernizing and retrofitting millions of homes, schools, offices, and industrial buildings to cut pollution and costs;

(III) investing in public health and care work, including by increasing jobs, protections, wages, and benefits for the historically unpaid and undervalued work of caring for children, the elderly, and the sick;

(IV) protecting and restoring wetlands, forests, and public lands, and cleaning up pollution in our communities;

(V) creating opportunities for family farmers and rural communities, including by untangling the hyper-consolidated food supply chain, bolstering regenerative agriculture, and investing in local and regional food systems that support farmers, agricultural workers, healthy soil, and climate resilience; and

(VI) developing and transforming the industrial base of the United States, while creating high-skill, high-wage manufacturing jobs across the country, including by expanding manufacturing of clean technologies, reducing industrial pollution, and prioritizing clean, domestic manufacturing for the aforementioned investments;

(ii) prioritizing the mobilization of direct public investments, while excluding false solutions that—

(I) increase inequality;

(II) privatize public lands, water, or nature;

(III) violate human rights;

(IV) expedite the destruction of ecosystems; or

(V) decrease union density or membership;

(iii) driving investment toward real full employment, where every individual who wishes to work has a viable pathway to a meaningful and dignified job with the right to form a union, including by establishing new public employment programs, as necessary; and

(iv) subjecting each job created under this Agenda to high-road labor standards that—

(I) require family-sustaining wages and benefits, including child care support;

(II) ensure safe workplaces;

(III) protect the rights of workers to organize; and

(IV) prioritize the hiring of local workers to ensure wages stay within communities to stimulate economic activity;

(B) building the power of workers to fight inequality by—

(i) reversing the corporate erosion of workers' organizing rights and bargaining power so that millions of new clean energy jobs, as well as millions of existing low-wage jobs across the economy, become the family-supporting union jobs that everyone deserves, including by—

(I) passing the bipartisan Protecting the Right to Organize Act;

(II) repealing the ban on secondary boycotts;

(III) requiring employer neutrality with regard to union organizing;

(IV) ensuring that “franchising” and other corporate structures may not be used to hinder collective bargaining on a company-wide, regional, or national basis;

(V) advancing sectoral bargaining in certain economic sectors; and

(VI) ensuring that no workers are misclassified as “independent contractors;”

(ii) expanding union representation for all workers; and

(iii) creating ladders of opportunity, particularly for women and people of color, to access registered apprenticeship and pre-apprenticeship programs in communities of all sizes across the country;

(C) investing in Black, Brown, and Indigenous communities to build power and counteract racial and gender injustice by—

(i) directing at least 40 percent of investments to communities that have been excluded, oppressed, and harmed by racist and unjust practices, including—

(I) communities of color;

(II) low-income communities;

(III) deindustrialized communities; and

(IV) communities facing environmental injustice;

(ii) ensuring that investments in these communities enable—

(I) the creation of good jobs with family-sustaining wages;

(II) economic ownership opportunities that close the racial wealth gap;

(III) pollution reduction;

(IV) climate resilience;

(V) small business support;

(VI) economic opportunities for independent family farmers and ranchers; and

(VII) the expansion of public services;

(iii) ensuring that affected communities have the power to democratically plan, implement, and administer these projects;

(iv) prioritizing local and equitable hiring and contracting that creates opportunities for—

(I) people of color;

(II) immigrants, regardless of immigration status;

(III) formerly incarcerated individuals;

(IV) women;

(V) LGBTQIAP+ individuals;

(VI) disabled and chronically ill individuals; and

(VII) marginalized communities; and

(v) providing access to quality workforce training, including through registered apprenticeships and pre-apprenticeships to ensure real pathways to good careers, including those that have historically been inaccessible;

(D) strengthening and healing the nation-to-nation relationship with sovereign Native Nations, including by—

(i) making systemic changes in Federal policies to honor the environmental and social trust responsibilities to Native Nations and their Peoples, which are essential to tackling society's economic, environmental, and health crises;

(ii) strengthening Tribal sovereignty and enforcing Indian treaty rights by moving towards greater recognition and support of the inherent self-governance and sovereignty of these nations and their members; and

(iii) promulgating specific initiatives that reflect the nuanced relationships between the Native Nations, including—

(I) the confirmation by Congress that Tribal nations can exercise their full and inherent civil regulatory and adjudicatory authority over their own citizens, lands, and resources, and over activities within their Tribal lands;

(II) the codification of Free, Prior, and Informed Consent as it relates to Tribal consultation; and

(III) the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, without qualification;

(E) combating environmental injustice and ensuring healthy lives for all, including by—

(i) curtailing air, water, and land pollution from all sources;

(ii) removing health hazards from communities;

(iii) replacing lead pipes to ensure clean water is available to all;

(iv) remediating the cumulative health and environmental impacts of toxic pollution and climate change;

(v) ensuring that affected communities have equitable access to public health resources that have been systemically denied, which includes—

(I) upgrading unhealthy and overcrowded homes, public schools, and public hospitals;

(II) ensuring access to healthy food, mental health support, and restorative justice; and

(III) investing in universal childcare, care for individuals with disabilities, senior care, and a robust care workforce; and

(vi) focusing these initiatives in Black, Brown, and Indigenous communities that have endured disproportionately high death

rates from COVID-19 due to higher exposure to air pollution and other cumulative health hazards as a result of decades of environmental racism;

(F) averting climate and environmental catastrophe, including by—

(i) contributing to a livable climate and environment for today and for future generations, including by—

(I) staying below 1.5 degrees Celsius of global warming;

(II) building climate resilience to keep communities safe; and

(III) ensuring sustainable resource use;

(ii) deploying investments and standards in the electricity, transportation, buildings, manufacturing, lands, and agricultural sectors to spur the largest expansion in history of clean, renewable energy, emissions reductions, climate resilience, and sustainable resource use;

(iii) transforming the power sector in order to move the country, by not later than 2035, to carbon pollution-free electricity that passes an environmental justice screen to prevent concentrating pollution in Black, Brown, and Indigenous communities;

(iv) prioritizing materials and parts that meet high labor, environmental, and human rights standards throughout the supply chain;

(v) supporting sustainable, domestic production of healthy, nutritious food that pays independent farmers and ranchers a fair price for their land stewardship; and

(vi) ensuring that funding under this Agenda goes to workers and communities affected by the economic and environmental crises, not to corporate fossil fuel polluters;

(G) ensuring fairness for workers and communities affected by economic transitions by—

(i) guaranteeing that workers and communities in industries and regions in economic transition due to COVID-19, climate change, and other economic shocks receive—

(I) stable wages and benefits, including full pension and healthcare;

(II) early retirement offerings;

(III) crisis and trauma support; and

(IV) equitable job placement; and

(ii) investing in transitioning areas to support—

(I) economic diversification;

(II) high quality job creation;

(III) community reinvestment;

(IV) retooling and conversion;

(V) reclamation and remediation of closed and abandoned facilities and sites;

(VI) child and adult care infrastructure; and

(VII) funding to shore up budget shortfalls in local and State governments; and

(H) reinvesting in public sector institutions that enable workers and communities to thrive by—

(i) rebuilding vital public services and strengthening social infrastructure in cities and counties, healthcare systems, schools, the postal service, and other services;

(ii) investing in equitable public education opportunities, including career and technical education pathways that prepare youth—especially girls; Black, Brown, and Indigenous students; students with disabilities; students from low-income families; and other students from marginalized groups—for high-quality jobs of the future, and state of the art technology and schools, so that from the beginning students are prepared to transform society and preserve democracy;

(iii) investing in the workers who provide care to children, the elderly, and communities burdened by neglect;

(iv) creating new public institutions, inspired by and improving upon New Deal-era institutions, to ensure universal access to critical resources and to strategically and

coherently mobilize and channel investments, in line with the above priorities, at the scale and pace that these times require; and

(v) coupling this institutional renewal with democratic governance and accountability to correct the systemic misallocation of resources and representation that prevents families and communities from meeting fundamental human needs and pursuing fulfilling lives.

#### SENATE RESOLUTION 44—DENOUNCING THE MADURO REGIME'S FRAUDULENT LEGISLATIVE ELECTIONS, THE ABSENCE OF ACCEPTABLE CONDITIONS TO ENSURE FREE, FAIR, AND TRANSPARENT ELECTORAL PROCESSES IN VENEZUELA, AND THE FURTHER EROSION OF VENEZUELAN DEMOCRACY

Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. CRUZ, Mr. DURBIN, Mr. SCOTT of Florida, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 44

Whereas, on December 6, 2020, the regime of Nicolás Maduro held fraudulent legislative elections for Venezuela's National Assembly that did not comply with international standards for free, fair, and transparent electoral processes;

Whereas the Maduro regime sought to use fraudulent legislative elections to install a new National Assembly on January 5, 2021, in an effort to undermine Venezuela's National Assembly, which was democratically elected in 2015;

Whereas, pursuant to section 112 of the VERDAD Act of 2019 (22 U.S.C. 9702), it is the policy of the United States to recognize the democratically elected National Assembly of Venezuela, elected in December 2015 and sworn in on January 2016, as the only legitimate national legislative body in Venezuela;

Whereas the United States and more than 50 countries—including Canada, the 27 member countries of the European Union, and 21 members of the Organization of American States, among others—have expressed concern about the lack of legitimacy of the December 6, 2020, electoral process held in Venezuela and the Maduro regime's failure to meet international standards for a free, fair, and transparent election;

Whereas, on January 6, 2021, the European Union issued a public statement on the Maduro regime's December 6, 2020, legislative elections, stating that "the elections failed to comply with international standards" and that it does not recognize the electoral process as "credible, inclusive or transparent, nor . . . its outcome to be considered as representative of the democratic will of the Venezuelan people";

Whereas, on January 5, 2021, members of the Lima Group—including Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Paraguay, Peru, and Venezuela—issued a joint declaration stating that the Lima Group does not "recognize the legitimacy or legality of the National Assembly installed on January 5, 2021. This illegitimate National Assembly is the product of the fraudulent elections of December 6, 2020, organized by the illegitimate regime of Nicolás Maduro.";

Whereas, on December 8, 2020, the International Contact Group—including Costa Rica, the Dominican Republic, Ecuador, the European Union, France, Germany, Italy,

the Netherlands, Panama, Portugal, Spain, Sweden, the United Kingdom and Uruguay—issued a public declaration stating that the Maduro regime's December 6, 2020, elections did not meet internationally accepted standards, "[n]or did they meet conditions required by Venezuelan laws," and that "they cannot recognise the results of this electoral process as legitimate or representative of the will of the Venezuelan people";

Whereas, on June 12, 2020, the Maduro regime's illegitimate Supreme Court unilaterally appointed new members to Venezuela's National Electoral Council without the approval of the democratically elected National Assembly;

Whereas, throughout 2020, the Maduro regime—

(1) sought to co-opt and undermine independent political parties through a campaign of systematic persecution; and

(2) used its discredited Supreme Court to strip independent political parties of their leadership, including Voluntad Popular, Primero Justicia, and Acción Democrática;

Whereas the Maduro regime has a demonstrated track record of holding fraudulent elections over the last four years;

Whereas, in May 2018, the Maduro regime held fraudulent presidential elections that were broadly criticized as illegitimate, leading more than 50 countries to recognize the end of Nicolás Maduro's term in office and the inauguration of National Assembly President Juan Guaidó as Interim-President of Venezuela on January 23, 2019;

Whereas, on July 30, 2017, the Maduro regime manipulated the results for Venezuela's Constituent Assembly by more than 1,000,000 votes, according to Smartmatic, the company that supplied Venezuela's electronic voting machines;

Whereas, according to the Venezuelan constitution, Juan Guaidó, as President of the National Assembly, serves as Venezuela's Interim President in the absence of a democratically elected president of Venezuela;

Whereas the conditions do not currently exist for the free, fair, and transparent election of new members of the National Assembly or the president of Venezuela;

Whereas, as of September 7, 2020, the internationally recognized nongovernmental organization Foro Penal confirmed that, out of the 110 individuals recently released from prison by the Maduro regime to serve out the remainder of their sentences under house arrest, 53 were political prisoners, and that currently 363 political prisoners remain unjustly detained by the Maduro regime without due process;

Whereas, on September 16, 2020, the United Nations Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela found that Nicolás Maduro and senior members of his regime ordered and carried out a campaign of extrajudicial executions, forced disappearances, torture, and arbitrary detentions that amounted to systematic crimes against humanity;

Whereas the Maduro regime's efforts to hold fraudulent legislative elections, undermine the democratically elected National Assembly and independent political parties, and implement a campaign of state-sponsored violence and repression further erodes democracy and the rule of law in Venezuela; and

Whereas, as codified under section 4 of the Venezuela Defense of Human Rights and Civil Society Act (Public Law 113-278; 128 U.S.C. 3013), it is the policy of the United States "to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States": Now, therefore, be it

*Resolved*, That the Senate—

(1) denounces the Maduro regime's fraudulent legislative elections on December 6, 2020, as an effort to undermine Venezuela's democratically elected National Assembly;

(2) does not recognize the legitimacy of the National Assembly installed by the Maduro regime on January 6, 2021;

(3) joins members of the international community, including members of the Lima Group, the Organization of American States, and the European Union, in rightfully rejecting the Maduro's regime's fraudulent and illegitimate legislative elections on December 6, 2020;

(4) urges that presidential and legislative elections in Venezuela be conducted at the earliest possible date that conditions for international standards for free, fair, and transparent electoral processes, including credible international election observation, can be met;

(5) calls on the Maduro regime to cease its campaign of systematic persecution against Venezuela's independent political parties and their leadership;

(6) calls on the Maduro regime to immediately release all political prisoners, facilitate access by humanitarian organizations, and end its campaign of extrajudicial executions, forced disappearances, torture, and arbitrary detentions of political opponents, human rights defenders, civil society activists, peaceful protesters, and citizens; and

(7) takes note of the finding of the United Nations Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela that the Maduro regime's campaign of state-sponsored violence and repression against the people of Venezuela amounted to crimes against humanity, and calls for Nicolás Maduro and senior members of his regime to be held accountable for their actions.

## SENATE RESOLUTION 45—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. DURBIN, Ms. HASSAN, Ms. CORTEZ MASTO, Mr. MERKLEY, Mr. WYDEN, Ms. SMITH, Mr. MARKEY, Ms. HIRONO, Mr. BROWN, Mr. VAN HOLLEN, Mr. MENENDEZ, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. COONS, Ms. BALDWIN, Mrs. MURRAY, Mr. WARNER, Mr. KAINE, Mrs. FEINSTEIN, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. SCHATZ, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. KING, Mr. BENNET, Ms. WARREN, Mr. OSSOFF, Mr. HEINRICH, Mr. SANDERS, Mr. CARPER, Mr. CASEY, Mr. REED, Mr. CARDIN, Ms. CANTWELL, Mr. BLUNT, Mr. TILLIS, Mr. CRAPO, Mr. GRASSLEY, Mr. RISCH, Mr. CRAMER, Mr. WICKER, Mr. SULLIVAN, Mr. SHELBY, Mr. RUBIO, Mr. SCOTT of Florida, Mr. PORTMAN, Ms. ERNST, and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 45

Whereas, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness";

Whereas Africans were first brought involuntarily to the shores of the United States as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas, in 2021, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe, Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Miles Davis, Louis Armstrong, Larry Doby, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Aretha Franklin, Alex Haley, Dorothy Height, Jon Hendricks, Olivia Hooker, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Coretta Scott King, Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, the Tuskegee Airmen, Prince Rogers Nelson, Recy Taylor, Fred Shuttlesworth, Duke Ellington, Langston Hughes, Muhammad Ali, Elijah Cummings, Ella Fitzgerald, Mamie Till, Toni Morrison, Gwen Ifill, Diahann Carroll, Chadwick Boseman, John Lewis, Katherine Johnson, Rev. C.T. Vivian, Hank Aaron, Edith Savage-Jennings, Septima Clark, Mary McLeod Bethune, Cicely Tyson, John Hope Franklin, and Chief Justice of South Carolina Ernest Finney, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the "Father of Black History", to enhance knowledge of Black history through *The Journal of Negro History*, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievements of Black people in the United States;

Whereas Dr. Carter G. Woodson stated, "We have a wonderful history behind us. . . If you are unable to demonstrate to the



world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas, since its founding, the United States has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again;

Whereas, on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas, on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture, which opened to the public on September 24, 2016, on the National Mall in Washington, District of Columbia: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation "indivisible, with liberty and justice for all."

#### SENATE RESOLUTION 46—CALLING ON THE PRESIDENT OF THE UNITED STATES TO TAKE EXECUTIVE ACTION TO BROADLY CANCEL FEDERAL STUDENT LOAN DEBT

Mr. SCHUMER (for himself, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Ms. DUCKWORTH, Mr. MERKLEY, Mr. MARKEY, Mr. VAN HOLLEN, Mr. SCHATZ, Mr. BLUMENTHAL, Mr. BOOKER, Mr. WYDEN, Mr. LUJÁN, Mr. MENENDEZ, Mr. SANDERS, and Mr. OSSOFF) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 46

Whereas the United States is facing historic public health and economic crises caused by the coronavirus (COVID-19) pandemic that threatens the financial well-being of nearly every American family;

Whereas even before the COVID-19 pandemic, the United States also faced a historic student loan crisis, which is currently holding back our struggling economy and restricting opportunity and prosperity for millions of American families;

Whereas nearly 43,000,000 Americans currently hold more than \$1,500,000,000,000 in Federal student loan debt;

Whereas more than 9,000,000 Federal student loan borrowers are currently in default on those Federal student loans;

Whereas the COVID-19 economic recession and historic unemployment have compounded stagnant wages, labor market discrimination, and rising costs of living, making it nearly impossible for many Americans to ever fully repay their student loans;

Whereas this historic student debt crisis has left millions of Americans less prepared to weather the recession triggered by the COVID-19 pandemic as Black and Brown communities, which never fully recovered from the devastating effects of the previous economic recession, have been hit hardest by the devastating health and economic consequences of the COVID-19 pandemic;

Whereas student debt disproportionately impacts Black and Brown borrowers, who face the worst effects of the student debt crisis, with—

(1) Black households disproportionately holding the most debt, compared to other households;

(2) Black students, due to ongoing structural barriers that have resulted in persistent racial inequities in incomes and wealth, forced to accrue more student debt and more often than their White peers;

(3) Black student borrowers struggling more in student loan repayment, including defaulting at higher rates than their White peers;

(4) nearly half of Black graduates owing more on their undergraduate student loans 4 years after graduation than they did when they received their degree;

(5) the median Black student borrower owing 95 percent of their debt 20 years after starting college, while the median White student borrower owing 6 percent of their debt after such period;

(6) Latino student borrowers, who borrow at rates similar to their White peers despite having lower household incomes and significantly less household wealth, are more likely than their White peers to default on their student loans;

(7) within 6 years of starting school, Latino borrowers are almost twice as likely to default on their student loans, in comparison to their White peers; and

(8) women of color, particularly Black women, on average take on more student loan debt than members of any other group and are more likely to face difficulties repaying student loans;

Whereas parents, grandparents, and older individuals are especially vulnerable to the burden of student loan debt, as people over the age of 50 are most likely to default on their student loans and over 114,000 retired people have had their Social Security benefits garnished due to their student loans;

Whereas almost 1/3 of the outstanding Federal student loan debt is held by individuals who did not complete their degree or program, and nearly 40 percent of Federal student loan borrowers have no degree 6 years after enrolling in college;

Whereas Black students and other students who have attended Historically Black Colleges and Universities have had to bear a larger share of student loan debt because of the historic and continued underfunding of these institutions at the State and Federal levels;

Whereas student loan debt cancellation for the families that need it most can substantially increase Black and Latino household wealth and help close racial wealth gaps;

Whereas women hold more than two-thirds of the Nation's student loan debt and must borrow an average of \$3,000 more than men to attend higher education;

Whereas, if left unaddressed, the student debt crisis will worsen inequality, exacerbate the current recession, widen the racial wealth gap, and slow economic recovery;

Whereas broad student loan debt cancellation is the most efficient and effective solution to our student debt crisis, would help millions of families, and would remove a significant drag holding back our economy;

Whereas broad student loan debt cancellation would provide immediate relief to millions of American families who are struggling during this pandemic and recession, and prevent them from having an unsustainable student debt burden waiting for them once this pandemic is over;

Whereas broad student loan debt cancellation would provide a boost to our struggling economy through a consumer-driven economic stimulus, greater home-buying rates and housing stability, expanded access to more affordable financial products including car loans and mortgages, higher college completion rates, and greater small business formation;

Whereas more than 230 community, civil rights, consumer, and student advocacy organizations have urged student loan debt cancellation for all borrowers in response to the COVID-19 pandemic public health and economic crises;

Whereas cancelling up to \$50,000 in Federal student loan debt per borrower is the most equitable way to ensure the benefits of cancellation reach the borrowers most in need of relief because that action would lift a disproportionate number of low-income borrowers and Black and Latino borrowers completely out of student debt, including nearly 90 percent of all borrowers in the lowest income quintile and over 90 percent of Black and Latino borrowers in the lowest income quartile;

Whereas borrowers who would receive full student loan debt cancellation if the Federal Government cancelled \$50,000 per borrower in student loan debt have lower income and assets than the borrowers who would receive partial cancellation if the Federal Government took that action;

Whereas Congress has already granted the Secretary of Education the legal authority to broadly cancel student debt under section 432(a) of the Higher Education Act of 1965 (20 U.S.C. 1082(a)), which grants the Secretary the authority to modify, "... compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption";

Whereas, in 2020, the Department of Education reportedly used this authority to implement relief for Federal student loan borrowers during the COVID-19 pandemic; and

Whereas, on June 29, 2020, President Donald J. Trump, with the support of Secretary of Education Betsy DeVos, vetoed H.J. Res. 76 "Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to 'Borrower Defense Institutional Accountability'", blocking a resolution that passed Congress with bipartisan support to overturn a Department of Education rule that makes it harder for defrauded Federal student loan borrowers to see their loans discharged: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the Secretary of Education's broad administrative authority to cancel Federal student loan debt under the existing authorities of section 432(a) of the Higher Education Act of 1965 (20 U.S.C. 1082(a));

(2) calls on the President of the United States to take executive action to broadly cancel up to \$50,000 in Federal student loan



debt for Federal student loan borrowers administratively using existing legal authorities under such section 432(a), and any other authorities available under the law;

(3) encourages the President of the United States, in taking such executive action, to use the executive's authority under the Internal Revenue Code of 1986 to ensure no tax liability for Federal student loan borrowers resulting from administrative debt cancellation;

(4) encourages the President of the United States, in taking such executive action, to ensure that administrative debt cancellation helps close racial wealth gaps and avoids the bulk of Federal student loan debt cancellation benefits accruing to the wealthiest borrowers; and

(5) encourages the President of the United States to continue to pause student loan payments and interest accumulation for Federal student loan borrowers for the entire duration of the COVID-19 pandemic.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. TESTER. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, February 8, 2021, at 6 p.m., to conduct a classified hearing.

#### AMAZON

Mr. BROWN. Mr. President, today, Amazon workers in Alabama will begin receiving ballots that will give them, finally, a real voice in their workplace by choosing to join a union.

Amazon would not be the massively successful company that it is and Jeff Bezos wouldn't be a multibillionaire without the hard work and the dedication of its hundreds of thousands of U.S. workers. They have put in long hours and risked their own health during this pandemic to meet the increased demand that we all know.

As of October, 20,000—think of this—20,000 Amazon workers, 20,000 workers at one company, Amazon, had contracted COVID-19. That is as of October. We know those numbers would be much higher today.

Because of their hard work, Amazon's profits have soared by more than 70 percent. The company's workers deserve to share in the success that they made possible.

Amazon claims to recognize the value of its workers. They call their workers "heroes fighting for their communities and helping people get critical items they need." Heroes, they call them.

If the company truly believed and appreciated that they were heroes, Amazon might back up its words with ac-

tion. That means letting these workers organize. It means stopping the corporate union-busting tactics that they have deployed against these workers.

Amazon, one of most powerful corporations in the world, unleashed all of that power to fight their own workers who are just asking for a voice on the job. They have harassed employees with anti-union propaganda, misleading text messages, websites, and fliers.

One Washington Post headline really said it all: "Amazon's anti-union blitz stalks Alabama warehouse workers everywhere, even the bathroom."

Workers have reported they don't get enough time for bathroom breaks in the warehouse. That is how intense the company's pressure is. When they are able to use the restroom, even there, workers are hit with anti-union propaganda fliers on the stall doors.

Amazon has repeatedly tried to block mail-in voting and force workers to hold the union election in person, putting its workers—remember, 20,000 already have been diagnosed back in October—putting its workers' health at even more risk, just to suppress the vote. It is all part of a pattern for Amazon.

In 2019, Amazon fired a Staten Island warehouse worker who called for unionization. They monitor employees' online communications. Last fall, we learned the company planned to spend hundreds of thousands of dollars on new software to monitor, their words, "threats" like unions.

It is little wonder Amazon is afraid of workers getting more power. So much of their business model is built on top of exploiting workers, often Black and Brown workers and women.

Instead of employing many drivers directly, they use what they call Amazon Flex drivers. Just like with other gig economy jobs, "Flex" is corporate PR speak for denying workers their rights as full employees.

They have failed to provide complete data on COVID-19 spread in the workplace, so we really can't find out whether the company is protecting its workers' health.

Amazon rolled back its tiny \$2-per-hour pandemic raise in June. It announced a \$2-an-hour bonus pandemic raise with great fanfare many months ago. Then they rolled it back in June, and then they announced a one-time bonus of \$300 per worker, not \$3,000 per worker, \$300 a worker from a company that brought in \$200 billion in revenue the previous year. I am sorry, \$280 billion—280,000 million—\$280 billion in revenue; they gave workers a bonus of \$300.

And Amazon is not alone. The Washington Post looked at the 50 biggest corporations and found that between April and September, these companies handed out more than \$240 billion to their stockholders through stock buybacks and dividends.

Companies like that are making more and more and more money. They

are giving it back to executives and stockholders in huge dividends and stock buybacks. Yet their workers are exposed to these health hazards at work, exposed to this virus. They come home always anxious and scared about infecting their families.

The workers risk their own health, often at rockbottom wages, to make those companies so profitable.

If even a global pandemic, where America's workers have been on the frontline, if even that will not get corporations to rethink their business model that treats workers as expendable, then we have to give workers more power on the job.

A grocery store worker said: You know, they say—told me, they say I am essential, but, really, I feel expendable because they don't pay me much, and they don't protect me on the job.

#### PRO ACT

Mr. President, so what do we do?

It should mean collective bargaining. It should mean unions. It is why I joined Senator MURRAY and many of my colleagues last week to reintroduce the Protecting the Right to Organize Act, the PRO Act.

It is a comprehensive overhaul of our labor laws to protect workers' right to stand together and bargain for fair wages, fair benefits, safer workplaces.

We know corporations have attacked and undermined worker protections for decades, made it harder and harder for workers even to stand a chance in organizing a union when they choose to.

And look what has happened to our economy, as corporations take away workers' power: Productivity goes up, corporate profits soar, executive compensation explodes through the roof, but wages stay flat, and the middle class shrinks.

Just go over that again. Corporate profits, workers' productivity goes up. Workers are working harder and more efficiently. Productivity goes up, corporate profits soar, executive compensation explodes, but wages stay flat, and the middle class shrinks.

Our bill would work to level the playing field, finally give workers a fighting chance against corporate union-busting tactics like we see right now today, last week, the week before, and today at Amazon.

It would strengthen the punishment against companies that violate workers' rights to organize and the companies that retaliate against union organizers.

It would restore to an economy rigged against workers by closing loopholes that allow employers to misclassify their employees as supervisors and independent contractors so they don't have to live under labor law.

We can't in this country, whether it is in Las Cruces or in Dayton—we can't have a strong, growing middle class without strong unions.

Union members earn 19 percent more, on the average, than similar workers in nonunion jobs. They have better healthcare. They are better able to

save for retirement. They have more predictable hours—talk to the Amazon workers about their hours—and they have more control over their schedules and more economic security.

At a time when this pandemic reveals so much about inequality in our society, it is more vital than ever that we empower all workers.

It is not a coincidence that so many of the workers, at corporations like Amazon, whom they exploit are workers of color. It is true at the Amazon Alabama facility. The Retail, Wholesale and Department Store Union, organizing in Alabama, has made respect and dignity central to its campaign.

It comes back to the dignity of work. Remember what Dr. King said. He said:

No labor is really menial unless you're not getting adequate wages.

The president of the Retail, Wholesale and Department Store Union, Stuart Appelbaum, said:

We see this as much as a civil rights struggle as a labor struggle.

We know where Dr. King was assassinated and what he was doing. He was fighting for civil rights. He was fighting for worker rights, fighting for sanitation workers in Memphis, some of the most exploited workers in America.

A union card is a ticket to the middle class, and we fight for economic justice by making it available to all workers. We just need corporations just to get out of the way, let workers organize, let workers take control over their careers and their futures.

When you love this country, you fight for the people who make it work, whether it is in New Mexico or Ohio or all over this country.

That is what the Amazon workers in Alabama are doing. It is what unions have done throughout our history in this country. It is what we can do in the Senate by passing the PRO Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### HONORING THE MEMORIES OF THE VICTIMS OF THE SENSELESS ATTACK AT MARJORY STONEMAN DOUGLAS HIGH SCHOOL ON FEBRUARY 14, 2018

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 42, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 42) honoring the memories of the victims of the senseless attack at Marjory Stoneman Douglas High School on February 14, 2018.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to re-

consider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 42) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCOTT of Florida. Mr. President, I would like to thank my colleague Senator RUBIO for joining me to introduce this resolution today honoring the 17 victims of the senseless attack at Marjory Stoneman Douglas High School on February 14, 2018: Alyssa Alhadeff, Scott Beigel, Martin Duque Anguiano, Nicholas Dworet, Aaron Feis, Jaime Guttenberg, Chris Hixon, Luke Hoyer, Cara Loughran, Gina Montalto, Joaquin Oliver, Alaina Petty, Meadow Pollack, Helena Ramsay, Alex Schachter, Carmen Schentrup, Peter Wang.

I think of those innocent lives almost every day, lost too early in the tragic shooting at Marjory Stoneman Douglas High School in Parkland, FL.

These individuals were sons, daughters, parents, and partners. They were educators, athletes, musicians. Many of them just kids, with a life full of promise ahead of them.

My heart breaks knowing they will never get to pursue their dreams and that their families will always have a piece of their heart missing.

Since that horrible day, I have worked closely with many of the victims' families to ensure no child, educator, or family has to experience that again.

We passed the Marjory Stoneman Douglas High School Public Safety Act while I was Governor of Florida to make sure our State does everything in its power to prevent further tragedies.

Now, as a U.S. Senator, I am fighting for improvements on the Federal level, including the Luke and Alex School Safety Act, named after Luke Hoyer and Alex Schachter, which builds on our work to keep schools safe.

And while we can't bring back these lives lost that tragic day nearly 3 years ago, I will always work to honor those lost and do everything in my power to protect our students and educators and ensure they have a safe environment to learn and succeed.

Now, I yield the floor to my colleague Senator RUBIO.

Mr. RUBIO. I thank my colleague from Florida.

I recall so vividly that day on February 14, 2018. It started like it does most days with people across the country. They take their children to school, drop them off, and, in this case, maybe some of them drove themselves.

And within hours, the lives of 17 families had been changed forever. It was a horrible tragedy: 17 students and faculty members who lost their lives; another 17 that were wounded in the attack. And it shocked the country.

It was shocking because they went to do what so many people do on a regular basis in a place where you never think that something like that could happen.

And as my colleague pointed out, there is no resolution in the Senate or words that we can say that will restore the lives that were lost, erase the pain still felt by those victims, the families, the friends, those who loved them.

But even as we continue to grieve, we must also work to prevent something like this from happening anywhere at any time.

I was proud that in the early days after this tragedy, within just a few weeks, together, working across the aisle, we passed the STOP School Violence Act, which provided Federal grant money for school safety. And that has been ongoing now for 3 years.

We passed the Fix NICS Act, which helped patch some of the holes that existed in our background check system.

Since that day, I have had the honor of getting to know and working with the parents of many of those who lost their lives at Marjory Stoneman Douglas High School.

And I will say that their grace in the face of the most traumatic loss that any parent, any sibling, any cousin, any grandparent, anyone can imagine—working with them has been humbling in the face of the grace that they have shown. The commitment to ensuring that no one else has to go through what they did is inspiring.

There are so many I can point to who have made a difference in their own way. They have all sort of focused on different aspects of what we should be doing, and I just want to take a moment today to recognize one individual, Max Schachter.

I know many of you have gotten to know him here. This man works tirelessly. He lost his son Alex on that day.

But his commitment has actually produced significant progress, thanks to his leadership, and I must say his leadership—and I spoke to him again last Friday, and he continues to work on these issues.

And thanks to that, last year, the Federal Government created a Federal clearinghouse on school safety best practices—a place that any district, any school can go to and something that is constantly being updated, that puts an essential location for best practices and offers access to an array of resources for schools across our Nation that are looking to protect their students.

And this is important because in the aftermath of this, everyone was trying to figure out, well, what should we do? And there was no central place where you could go to and find that out.

And recently, as my colleague from Florida has pointed out, I, along with my colleague from Florida and Senator RON JOHNSON, we reintroduced the Luke and Alex School Safety Act, named after—partially after his son Alex, which would make this clearinghouse permanent. It was put in place

by the Agency, but this would make it permanent.

And I just think of parents like Max, who have poured so much of their own lives into this work and continue to do so, and he is always churning out new ideas.

We spoke this last Friday about data that is now available, that a lot of people don't even know is there; data that shows you which schools are having suspensions, which schools are having fights, which schools are having arrests and violence as a way of finding anomalies in the data. I mean, he is constantly—and Max has become a subject matter expert through this tragedy, but he is constantly looking for improvements that can be not just done in Florida but across the country, and he is tireless all across the country.

There is something else we took that was successful in Florida, and today we have reintroduced, along with Senator REED and Senator KING and my colleague from Florida—that is reintroducing the Extreme Risk Protection Order and Violence Prevention Act, to encourage the passing of these laws that allow you to identify someone who is a danger to themselves or others, to go to a court, provide them due process, and potentially prevent a suicide or a senseless act like what we saw on that day 3 years ago.

And this bill would not mandate it, but it would dedicate the Department of Justice funds to incentivize more States to adopt similar measures. It will encourage the rest of the country to follow the lead in Florida and to save lives. We know it has prevented suicides and we know it has prevented potential attacks in Florida and in States where it has been implemented. And we can't force more States to do it, but we can try to incentivize them.

So it is my hope and my prayer that as we continue to work together that we can achieve this and other things so that no family, no community, no State, no one will have to go through what the incredible families of Parkland endured on that day and the 3 years that followed.

Today, as we remember the lives that were lost, let us pledge to honor them by continuing to move forward toward safer and more secure schools and communities in our work here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### IMPEACHMENT

Mr. DURBIN. Mr. President, I was just noting that the Senate Chamber has been rearranged because tomorrow we commence the impeachment trial, the second impeachment of Donald Trump.

In the center of the well is a podium and microphone where the attorneys representing the House managers who voted the impeachment resolution will stand to make their case a few hours after we commence the trial. The

President's defenders will have the same opportunity.

They will be standing in a spot that is literally 4 or 5 feet away from a location still fresh in my mind. It was there right in the center of the aisle between the majority and minority leader of the Senate, on January 6, when two men appeared whom I had never seen before in plain clothes and stood in the center of the well holding automatic weapons.

It was just minutes after the Vice President had been removed from the chair where you are sitting, whisked off the floor of the Senate by the Secret Service, I imagine. He was pulled off the floor. It wasn't a "follow me, Mr. Vice President"; they pulled him off the floor. That was at 2:15. Within a few minutes, the mob which had invaded the U.S. Capitol was on the march, on its way toward this Chamber where most of us were sitting, having dealt with our constitutional responsibility of counting the electoral votes.

I remember when they interrupted the quorum call that they were conducting for one of the Capitol policemen to stand before us and say: Everyone stay in your seats. We are going to bring all the staffers. They are going to line the walls. We are going to lock all the doors. This will be the safe room in the Capitol.

It couldn't have been more than 10 or 15 minutes later when the same policeman said: Everybody out now.

The mob had come through the Capitol, through the Rotunda, and was now on the Senate side of the building within easy reach of 100 Senators. So we filed out the back door and down a staircase, over to the tunnels, and down to the Hart Building, hoping to escape them. I watched through the window as I went down the steps and saw all the flags coming up toward the Capitol—American flags, Trump flags, flags I didn't recognize—all the people coming up here.

We know what happened later that same day. The mob crashed through the doors into this Chamber, posed for pictures at our desks, and scrawled messages to us, went through our desks and looked at them, literally interrupted the business of the U.S. Senate counting all the electoral votes.

Was that just an accident, that thousands of people were in Washington on January 6? Was that just an accident, that they gathered at the Ellipse for the President of the United States, Donald Trump, to speak to them? Was it just an accident that within 40 minutes or 45 minutes after the President sent them off to the Capitol, they were here breaking windows and breaking down doors to come inside? No, it was by design.

We are now learning who designed that strategy and that attack on the Capitol, and tomorrow we are going to start a trial to determine whether the former President of the United States of America bears responsibility for inciting that mob or inspiring that insurrection.

When you read the history of the writing of the Constitution, it is almost impossible—maybe it is impossible to put yourself in the moment. These men, all men, gathered in Philadelphia. They had just fought a bloody, long war, a Revolutionary War against one of the most powerful nations in the world, and they were setting up a government on this side of the ocean with the hopes that it would survive. And they were worried. They were worried about the enemy from without and the enemy from within. They talked about our responsibility to maintain this democracy and the challenges we might face.

At the time, they were wary because of what they lived through. As we read about it now, we wonder, what was the concern? What was behind all that concern?

If you are honest, you know that in 1861, our Nation went to war with itself in a Civil War with over half a million lives lost. So it was a fragile democracy, as they thought. But we never dreamed—at least, I never dreamed that in the 21st century, there would be a concern over an insurrection to overthrow the Government of the United States with violence. No, not in America. Not in 2021. That is exactly what happened on January 6. That is why we will be meeting tomorrow for the accountability of Donald Trump for that event.

Now, there are people who have told us we should get over it. Get over it. He is gone. Why do you keep talking about Donald Trump? Let him ride off into the sunset, as one fellow shouted at me at the airport a few weeks ago. Why would you want to keep reminding us of our differences in visions?

Well, I think the answer is pretty obvious. We can't reach real unity in America until we deal with the reality of America as Donald Trump left it, and January 6 was a classic illustration.

There is one other image I share in my thinking about this trial when I hear former U.N. Ambassador Nikki Haley, the former Governor of South Carolina, say "Get over it" to the Democrats. I think of that solemn scene in the Capitol Rotunda last week as we honored Capitol Hill Policeman Brian Sicknick, who was murdered by that mob—murdered by that mob.

I spoke to his mom and dad afterwards. He always wanted to be a police officer. He served in the Air Force, but he wanted to be a police officer. His mom said: "We thought of all places for him to be a police officer, the safest had to be the United States Capitol building." And she lost her son to that murderous mob. I can't get over that. I am sure his family will never get over it.

If we can't give an honest answer to the American people for what happened and who was responsible for it, shame on us.

America came close to losing this democracy on January 6. This President's

design was to make sure an election didn't count, that November 3 was ignored. What happened on January 6 was an attempted coup, make no mistake. As others have pointed out, an attempted coup that is not punished is a trial run for the next time.

Over the 4 years of his Presidency, someone decided to take account of the many times that the President lied to the American people. They were in the thousands. Many of his lies were an attempt to discredit anyone or any institution that stood in his way. It is an old trick straight out of the authoritarian handbook: Tell so many lies that people can no longer tell fact from fiction.

His last and most damaging lie was, over and over he repeated to the American people: They stole the election. They rigged the election.

Donald Trump's apologists will come to the floor of the Senate in the next few days and say that he had a First Amendment right to say whatever he wanted, whether it was the truth or not. But no one, not even the President, has a First Amendment right to incite an insurrection against this government. That is not a right; it is a crime, a high crime.

When he first ran for President in 2016, Donald Trump said the only way he could lose is if the election were stolen. Four years later, he tweeted the lie of a stolen election so many times at his rallies.

When he lost, he tried to convince the courts. He went to 60 different courts pleading that the election had been rigged and stolen. They laughed him out of the court every time.

He tried to bully officials in swing States and members of his own administration. On January 2, as Americans were dying of COVID-19, Donald Trump was on the telephone to the Republican secretary of state of the State of Georgia, spending more than an hour pleading and threatening him to somehow "find the votes" to overturn that State's votes in the Presidential election. Trump failed. The Republican secretary of state refused his request. He was not intimidated by his threats and had the foresight to tape record the conversation so there could be no denial.

For weeks before January 6, Donald Trump exhorted his followers to come to Washington on the day that Congress would assemble to certify State electoral votes. He knew that his extremist followers were waiting for their signals and their orders.

Over the summer, when armed extremists stormed and occupied State capitals, demanding an end to COVID safety instructions, Donald Trump cheered them on.

On January 6, he whipped them into a frenzy just a few short moments from here. He spoke for more than an hour at that rally at the Ellipse. This is some of what he said—and I quote Donald Trump—to the mob on its way to the Capitol.

"We will never give up," he said. "We will never concede. It doesn't happen."

Then he said, "We won this election, and we won it by a landslide. This was not a close election."

Then he spoke of his Vice President, and he said, "I hope Mike is doing the right thing. I hope so. I hope so. Because if Mike Pence does the right thing, we win the election. . . . All [the Vice President] has to do is send it back to the states to recertify, and we become president, and you are the happiest people."

Then he said, "We have to fight like hell," Donald Trump said to that crowd before they made it up to the Capitol. "If you don't fight like hell, you're not going to have a country anymore," Donald Trump said. "Our boldest endeavors have not yet begun. . . . We're going to the Capitol. We're going to try and give [the Republicans] the kind of pride and boldness that they need to take back our country."

Donald Trump wasn't shocked at what happened next. The crowd followed orders. He was excited. According to reports, he ignored police pleas from the White House, who begged him—people around him begged him to do something to calm the mob before they got to the Capitol.

At 2:11 p.m., the mob smashed through the doors and windows and began pouring into this building.

Thirteen minutes later, while the mob chanted "Hang Mike Pence," Donald Trump tweeted "Mike Pence didn't have the courage to do what should have been done to protect our Country . . . giving States a chance to certify a corrected set of facts . . . USA demands the truth!"

At 6:01 p.m., Donald Trump again tweeted to the mob 4 hours after they had broken into this building. Here is what he said: "These are the things and events that happen when a sacred landslide election victory is unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace."

And he closed, "Remember this day forever!"

I will. And those of us in this building at the moment will. Brian Sicknick's family will.

Now nearly all of our Republican colleagues tell us it is time to move on. Forget about it. Forget the authoritarian President and his contempt for democracy that summoned this mob. Forget the failed coup without accountability. Just move on.

Polls show that the majority of Republican voters in America believe Donald Trump's lie. They still believe him, even after it has been rejected by local and State election officials of both parties. That is why the Senate is proceeding to the second impeachment trial tomorrow.

Donald Trump is gone from elected office, but the poison he injected into the national bloodstream remains, and it grows even more toxic.

On the inauguration of President Joe Biden, it was different from any I have seen, and it was the tenth one that I witnessed. The crowd was contained in a very small garden area. There were many more National Guardsmen in the streets of Washington as he was sworn in on January 20 than the crowd that assembled on the Mall.

I used to go to Central America and visited countries like El Salvador. I can remember being at the capitol of El Salvador. I was struck, at the time, by soldiers standing on the street corners with automatic weapons, and I thought: What kind of country can this be that soldiers will stand up just like a normal cop on the beat with automatic weapons?

We have reached that point here in Washington. We have reached that point in the Senate Chamber. It is a reminder of the fragility and vulnerability of our democracy.

There is a great cost to what we have just been through, and we continue to incur it to keep the people in this Capitol safe and those who visit. But there is a deeper cost. Brian Sicknick is part of the cost of January 6. He was proud to protect this Capitol. He gave his life for doing it.

Last Wednesday, Officer Sicknick's ashes were carried in a wooden box into the Rotunda of the Capitol, where we honored him. The silence of his return was made more painful by remembering how an angry mob had desecrated this building that he loved. Brian Sicknick paid for that hushed peace with his life. He is one of a long line of patriots who have given their lives over more than 240 years to protect this country.

For his sake, for all of those wounded on January 6, and for the safety of our democracy, we have to put an end to Donald Trump's big lie, once and for all, and look honestly at the culpability of the man who incited this mob to attack Congress, to attack the Constitution, and to attack our way of life.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. SMITH). Without objection, it is so ordered.

#### REMEMBERING GEORGE P. SHULTZ

Mr. SULLIVAN. Madam President, as many of us know, our country is mourning the loss of a great man, a man who I believe was one of the greatest of the Greatest Generation.

Yesterday, we all received the sad news that George Shultz, Secretary Shultz, died in his home in California yesterday. He was 100 years old. He just celebrated his 100th birthday in December.

He was a man of great intelligence, of courage, of integrity. He exemplified service, what is great about this Nation, and hope for our country—not just for our country but countries around the world. Democracy itself was something that this great American promoted.

He leaves behind his wife Charlotte, 3 daughters, 2 sons, 11 grandchildren, and 9 great-grandchildren. Of course, our prayers for his family are going out to all of them during this difficult time.

There are people who have lived history, and there are people who have made history. Secretary Shultz made history. He lived a life in full, and he was always giving back to his country, to his fellow Americans.

He was one of only two, I believe, American citizens who held four different Cabinet posts in the U.S. Government. He was OMB Director, Secretary of Labor, Secretary of the Treasury, and, most importantly, Secretary of State for almost the entire two terms of President Reagan's tenure during some very perilous times in our country's history.

As Secretary of State, there is no doubt that Secretary Shultz, along with President Reagan, did so much to win the Cold War, to bring down the Berlin Wall eventually, to successfully not just defeat in the Cold War the Soviet Union but to foster the infrastructure of democracy around the globe. If you read about his exploits, if you read his autobiography, you will see so much of what George Shultz did for our country, which was so important.

It is not an exaggeration to say we are living in a more peaceful and prosperous world—there is no doubt we have challenges—because of men like Secretary Shultz.

One of the great honors of my lifetime was to get to know Secretary Shultz over the last several years. I had the opportunity to meet with him many, many times and to listen and learn—and his mind was so sharp—from the stories that he would tell. This, to me, is another great example of leadership—people who, even in the end years of their life, are still mentoring others, whether Senators or students.

He would regularly teach classes at Stanford as part of the Hoover Institution out there. He kept writing books until his 100th birthday.

I had the opportunity to wish him a happy birthday in December and was even on a Zoom call with him. I will say, in my experience with him, certain things kept coming out, themes of a life: service, of course, patriotism, integrity, trust, and also the U.S. Marine Corps.

You know, when it comes to the issue of integrity, you look at Secretary Shultz's career, his life, and he always had integrity as the highest principle, and he talked about that, not just integrity to do the right thing, which meant sometimes saying no, but he did this throughout his career. And, then,

at the very twilight of his career, he talked about not just integrity but trust—trust as the coin of the realm of a good life, of service.

As he was turning 100 in December, he put out a little pamphlet. It is right here. I read the whole thing. I encourage my colleagues to read it:

*Life and Learning after One Hundred Years. Trust Is the Coin of the Realm. Reflections on Trust and Effective Relationships across a New Hinge of History.* George P. Shultz, December 13, 2020.

Who does that when they are 100—put out a pamphlet on trust? Well, George Shultz did that.

In the pamphlet, Secretary Shultz wrote that one lesson he learned as a child and retained over and over again was the importance of trust. As he says in this pamphlet:

When trust was in the room, whatever room that was—the family room, the schoolroom, the coach's room, the office room, the government room, or the military room—good things happen. When trust was not in the room, good things did not happen.

I think, certainly, we can learn that here in the U.S. Senate, where trust is the coin of the realm here. There is no doubt about that.

This idea of trust is a lesson that stayed with him throughout his career and a concept that he believed—when you read all his writings and talked to him the way so many of us have had the opportunity to—helped lead to the end of the Cold War—trust. President Reagan, General Secretary Gorbachev together eliminated intermediate-range nuclear weapons, which laid down the foundation for the peaceful end of the Cold War in which the United States was victorious.

This pamphlet by Secretary Shultz on trust can be found online at [https://www.hoover.org/sites/default/files/research/docs/shultz\\_finalfile\\_web-ready.pdf](https://www.hoover.org/sites/default/files/research/docs/shultz_finalfile_web-ready.pdf).

Even to the end of his days, he was still looking at providing guidance to the Senate. I had a talk with him, as I mentioned, just about 5 weeks ago about his coming to testify in front of the Armed Services Committee, a tradition started by another great American, John McCain, chairman of the Armed Services Committee. Every January, we would start with some statesmen with a lot of knowledge and history, and George Shultz was always part of that, testifying in front of the Armed Services Committee at 98, 99 years old, with Henry Kissinger, the junior man in the room, who was just a year or two younger.

Senator REED and I were just talking recently about bringing Secretary Shultz back to, once again, testify in front of the Armed Services Committee, and I am sad to say we have lost this great American before he can do that again.

Let me conclude with this: The other thing I loved about George Shultz is that he was, first and foremost, a U.S. marine. Until the end of his life, he spoke about the pride he gained from

serving in combat in World War II as a Marine Corps officer and the many, many lessons he learned throughout his life from his service in the Marines.

The first time I ever met the Secretary, I went into his office. I thought there would be a bunch of pictures with famous people—there were some of those—but there were Marine Corps recruiting posters everywhere.

Former Secretary of State Condoleezza Rice, another great American, recounted in her excellent op-ed about the legacy of Secretary Shultz just yesterday in the Washington Post. He told her that being Secretary of State was “the best job in government.”

When she got nominated to be Secretary of State, he called her to give her some advice. They were very good friends. He was a mentor of hers as well. He said it is the best job in government, the Secretary of State. And then he corrected himself: It is the best job except for when I was a Marine Corps captain.

That is what he told Condi, so he was first and foremost a marine.

For all of these reasons, I will be calling up a resolution, a bipartisan resolution, to honor the life, achievements, and legacy of the Honorable George P. Shultz, who has done so much for our great Nation. We are working on this. Hopefully, we will get it passed in the Senate here soon. It is very bipartisan already. I was hoping to get it done tonight.

When great Americans leave us, it is really important that we reflect and look on the life of service, commitment, patriotism, honor, courage, and learn from that. Even though he is gone after 100 years, I know I am going to be learning from George Shultz for a long, long time. I sure hope and I expect and I certainly believe that my colleagues here in the U.S. Senate and our fellow Americans will be as well.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Executive Calendar No. 14, Kathleen Holland Hicks, of Virginia, to be Deputy Secretary of Defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Kathleen Holland Hicks, of Virginia, to be Deputy Secretary of Defense.

There being no objection, the Senate proceeded to consider the nomination.

Mr. SCHUMER. I ask unanimous consent that the Senate vote on the nomination with no intervening action or

debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Hicks nomination?

The nomination was confirmed.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following resolutions that were submitted earlier today: S. Res. 38, S. Res. 39, S. Res. 40, and S. Res. 41.

The PRESIDING OFFICER. The clerk will report the resolutions by title en bloc.

The legislative clerk read as follows:

A resolution (S. Res. 38) establishing procedures for access to the floor of the Senate and the Senate Wing of the Capitol during impeachment proceedings against Donald John Trump, former President of the United States.

A resolution (S. Res. 39) to authorize the installation of appropriate equipment and furniture in the Senate chamber for the impeachment proceedings of Donald John Trump, former President of the United States.

A resolution (S. Res. 40) establishing procedures for access to the galleries of the Senate Chamber during impeachment proceedings of Donald John Trump, former President of the United States.

A resolution (S. Res. 41) allowing limited laptop computer access on the floor of the Senate during impeachment proceedings of Donald John Trump, former President of the United States.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to en bloc and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to en bloc.

(The resolutions are printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR TUESDAY, FEBRUARY 9, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it

adjourn until 1 p.m., Tuesday, February 9; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that upon the conclusion of morning business, the Senate resume the impeachment trial of former President Donald John Trump.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Tuesday, February 9, 2021, at 1 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, February 8, 2021:

##### DEPARTMENT OF VETERANS AFFAIRS

DENIS RICHARD MCDONOUGH, OF MARYLAND, TO BE SECRETARY OF VETERANS AFFAIRS.

##### DEPARTMENT OF DEFENSE

KATHLEEN HOLLAND HICKS, OF VIRGINIA, TO BE DEPUTY SECRETARY OF DEFENSE.